

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

IN THE MATTER OF

Rajan Vachhani, Applicant
Royal Wine & Liquor K.M.P., LLC, Backer
Royal Spirits
Liquor Permit No. LIP.14206P
Docket No. 07-129

February 21, 2007

MEMORANDUM OF DECISION

This matter involves a new application for a package store liquor permit for Royal Spirits, 1186 Stanley Street, New Britain, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on January 18, 2007, at which time Rajan Vachhani, applicant and member of the backer limited liability company, and Atul Vachhani, member of the backer limited liability company, appeared with counsel. This location is currently operating under the auspices of a provisional permit. 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 location. A remonstrant appeared on behalf of the remonstrance to oppose the granting of the final permit.

Based upon the evidence adduced at the hearing, we find the following facts: Liquor Control Agent Wilson conducted a thorough investigation in connection with the new application and the remonstrance. She found nothing questionable about the applicant or the proposed location based upon her investigation. The proposed premises is in an area which has both residences and businesses uses. There had previously been a grocery store beer permit at this location. There is proper zoning approval.

The remonstrant's residence is directly behind the proposed location. He expressed concerns about litter and the fact that children attending a nearby elementary school would walk past this package store. He felt there were sufficient existing package stores to service the residents.

Based upon the substantial evidence presented, we do not find either the location or the applicant to be unsuitable for a package store liquor permit. 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. Brown v. Liquor Control Commission, 176 Conn. 428, 407 A.2d 1020 (1973).

Accordingly, we hereby deny the remonstrance and grant the final package store liquor permit to Rajan Vachhani and Royal Spirits, subject to the agent's final requirements.

**DEPARTMENT OF CONSUMER PROTECTION
LIQUOR CONTROL COMMISSION**

BY:

Elisa A. Nahas, Esq.
Presiding Officer

Parties:

Fred Agee, Agent for Remonstrants, 14 Long Street, New Britain, CT 06051
Rajan Vachhani c/o Brian M. Silver, Esq., One Liberty Square
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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