

**STATE OF CONNECTICUT**

**DEPARTMENT OF CONSUMER PROTECTION**

**IN THE MATTER OF**

The Velvet Vine  
Michelle V. Isted  
The Velvet Vine LLC, Backer  
Liquor Permit No. LCA 7805

Case No. 2016-205  
January 10, 2017

**MEMORANDUM OF DECISION**

This matter involves a new application for a cafe liquor permit for The Velvet Vine, 22 Bayview Avenue #14, Stonington, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on December 8, 2016, at which time Michelle V. Isted, permittee, appeared. 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. Remonstrants appeared to oppose the granting of this permit. This location was approved for a Café provisional permit on February 25, 2016 however, it was not issued as of the date of this hearing due to ongoing premise remodeling.

Based upon the evidence adduced at the hearing, we find the following facts: Liquor Control Agent Richards reviewed the pending application and found it to be in order. Agent Richards conducted an on-site investigation. The proposed premise is located within an assigned space in an old mill called the "Velvet Mill". This old mill has been remodeled and reconfigured to accommodate various tenants. The café permit premise will consist of one open

room. The other areas of the premise include the kitchen, storage and employee work areas.

There is one main entrance into the café premise at the front. This entrance is directly off the common area of the Velvet Mill. One must enter into the Velvet Mill facility to gain access to the café premise.

There are no separate restroom facilities in the café premise space however, there is access to restroom facilities within the Velvet Mill. The Commission previously waived the separate bathroom requirement.

Per the Department's protocol for conducting remonstrance investigations, Agent Richards conducted a thorough investigation in connection with the remonstrance. She contacted Mr. David Atkinson, the Zoning Officer for the Borough of Stonington. Mr. Atkinson had signed the liquor permit application. He verified there were no outstanding zoning violations and his signature has not been rescinded.

Agent Richards found nothing questionable about the permit application, the applicant, or the location.

At the hearing, Remonstrants expressed three primary concerns regarding The Velvet Vine-safety, noise and traffic. They stated that Velvet Vine patrons may potentially drive intoxicated in their residential neighborhood, the noise levels during the hours of operation would be unacceptable, and there were various traffic concerns due to the local narrow streets.

Ms. Isted stated she believed there was misinformation as to the size and nature of her café and its hours of operation. She was confident her business would be a positive addition to both the Velvet Mill and the neighborhood.

Danielle Chesebrough of the Stonington Economic Development Commission testified and spoke in favor of the permit application.

Based upon the substantial evidence offered at the hearing we do not find substantial evidence to deny this cafe permit application and we find the location to be suitable. 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 of the café liquor permit application of Michelle V. Isted and The Velvet Vine, subject to agent's final requirements.

**DEPARTMENT OF CONSUMER PROTECTION  
LIQUOR CONTROL COMMISSION**

BY:

  
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Anne K. Stiber, Esq., Designated Presiding Officer

  
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Angelo J. Faenza, Commissioner

  
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David A. Scribner, Commissioner

Parties:  
DEBORAH CEIL, AGENT FOR REMONSTRANTS  
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(Via US Mail and Certified Mail # -----)

MICHELL V. ISTED  
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Stonington, CT 06378

Nonparties:  
John Suchy, Director, Liquor Control Division

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