

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

IN THE MATTER OF

Atwood Liquors
Jagdev Toor, Permittee
3460 Main Street Package, LLC, Backer
Liquor Permit No. LIP.14532P
Docket No. 2009-716

July 14, 2009

MEMORANDUM OF DECISION

This matter involves a remonstrance received on an application for a package store liquor permit for Atwood Liquors. A formal administrative hearing was held before the Department of Consumer Protection on July 9, 2009, at which time Jagdev Toor, permittee, appeared with counsel. The hearing was held in accordance with Section 30-39(c), Connecticut General Statutes, as the result of a legally sufficient remonstrance. The agent for the remonstrants appeared and provided testimony. The premises is operating under the auspices of a provisional liquor package store permit.

We have reviewed the record of the hearing and find the following facts. Liquor Control Agent Anderson conducted an investigation of the application and did an on-site visit. The store was previously in operation across the street from the current location, approximately 50 feet away, and Mr. Toor stated he has been a permittee for approximately

7 ½ years, without incident. At the time of his visit, Agent Anderson did not observe loitering or trash at the package store location or the surrounding area. There is proper zoning approval. Agent Anderson spoke with Mr. Toor, who he indicated as being receptive and interested in being responsive to the needs of the community residents. Agent Anderson did not find anything questionable about the granting of this final permit application to Mr. Toor. The agent for the remonstrants testified that she does not oppose the granting of this liquor permit to Mr. Toor, however, she and the remonstrants are concerned about the quality of life issues raised by the existence of another package store in this community. Mr. Toor expressed his desire to work with the community members to maintain the premises and the environs in a safe and suitable manner.

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). Based upon the testimony and documents presented, we hereby dismiss the remonstrance and grant the Respondent's final package store liquor application, subject to the agent's final requirements.

**DEPARTMENT OF CONSUMER PROTECTION
LIQUOR CONTROL COMMISSION**

BY:

Elisa A. Nahas, Esq.
Presiding Officer

Angelo Faenza, Commissioner

Steve Somma, Commissioner

Parties:

Jagdev Toor c/o William Anthony Stevens, Esq., Brown, Paindiris &
Scott, 2252 Main Street, Glastonbury, CT 06033
Sharon Lewis, Agent for Remonstrants, 34 Rutland Street, Hartford, CT
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Non-Parties:

John Suchy, Director, Liquor Control Division
Connecticut Beverage Journal
Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106