

Michelle Lujan Grisham
Governor

Marguerite Salazar
Superintendent

Claudia Armijo
Deputy Superintendent

Daniel Rubin
General Counsel

Andrew Vallejos
Director

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800

New Mexico Regulation and Licensing Department ALCOHOL AND GAMING DIVISION

PO Box 25101 • Santa Fe, New Mexico 87504-5101
(505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us/alcoholandgaming

June 24, 2019

Certified Mail No.: 9171 9690 0935 0078 2601 50

Los Alamos County
Clerk: Naomi Maestas
1000 Central Avenue, Suite 240
Los Alamos, NM 87544

Lic. No. /Appl. No.: **Application No. 1119254**
Name of Applicant: Boese Brothers Brewing LLC
Doing Business As: Boese Brothers Brewing
Proposed Location: 145 Central Park Square, Los Alamos, NM 87544

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted **Preliminary Approval**. It is being forwarded to you for Local Option District approval or disapproval of the Liquor License Application.

While the law states that “within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer”, we recognize the potential for conflict between the requirement for publication of 30 day notice and the 45 day hearing requirement. Should the Local Governing Body be unable to meet one of these requirements, please send a Request for Waiver/Extension by email to the assigned AGD Hearing Officer listed on page 2.

Notice of the Public Hearing required by the Liquor Control Act **shall be given by the governing body by publishing a notice** of the date, time, and place of the hearing **twice during the 30 days prior to the hearing** in a newspaper of general circulation within the territorial limits of the governing body. **The first notice must be published at least thirty (30) days before the hearing. Both publications must occur before a hearing can be conducted.** The notice shall include:

- (A) Name and address of the Applicant/Licensee;
- (B) The action proposed to be taken by the Alcohol & Gaming Division;
- (C) The location of the licensed premises.

In addition, if the Local Option District has a website, **the Notice shall also be published on the website.**

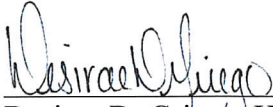
The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. **A record shall be made of the hearing.**

THE APPLICANT IS SEEKING A SMALL BREWER 2ND OFF-SITE LOCATION LIQUOR LICENSE, WITH ON PREMISES CONSUMPTION.

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcohol and Gaming Division of their decision to approve or disapprove the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notices of publication. **If the Governing Body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director may issue the license.**

If the Governing Body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the Notice of Disapproval (*Page 1 of the Application, noting disapproval*).

Respectfully,



Desirae D. Griego, Hearing Officer

New Mexico Regulation & Licensing Dept. | Alcohol & Gaming Division

Phone: (505) 476-4552 Fax: (505) 476-4595

Email: Desirae.Griego@state.nm.us

Enclosures:

1. Original Page 1 of the Application (*must be signed and returned w/notices of publication*)
2. Copy of Page 2 of the Application
3. Copy of Zoning Statement



AGD USE ONLY: Payment| Application Fee \$ 200 Received on: 1-23-19 Receipt No. 2155107
License Fee \$ _____ Received on: _____ Receipt No. _____
Application # 1119254 Local Option District: _____

SMALL BREWER LIQUOR LICENSE APPLICATION

\$200.00 Application Fee, non-refundable.

Check appropriate boxes:

Application is for: ☐ New License ☒ Off-Site Location – 1st, 2nd, 3rd Master License No. 67055

Applicant is: ☐ Individual ☐ Limited Liability Company ☐ Corporation ☐ Partnership (General/Limited)

NAME OF APPLICANT (company or individual) ADDRESS (including city, state, zip) TELEPHONE NUMBER
Boese Brothers Brewing LLC 601 Gold Ave SW, Albuquerque, NM, 87102 (575) 317-6378

D/B/A Name to be used: Boese Brothers Brewing Business Phone #: (575) 317-6378

Email Address (required): gboese10@gmail.com

Physical location where license is to be used: (Include street number / highway number / state road, city and county, state, and zip code)
145 Central Park Square, Los Alamos, New Mexico, 87544

Are alcoholic beverages currently being dispensed at the proposed location? ☒ Yes ☐ No If Yes, License # / Type: 61002

Mailing Address: Same 601 Gold Ave. SW Albuquerque NM 87102 Wine Grocer Offsite

Agent/Contact Person: George Boese Phone #: 575 317 6378 Email: gboese10@gmail.com

I, (print name) George Boese, as (title) Resident Agent
being first duly sworn upon oath deposes and says: that he/she is the applicant or is authorized by the applicant to make this application;
that he/she has read the same; knows the contents therein contained are true. Applicant(s) agree(s) that if any statements or representations
herein are found to be false, the Director may refuse to issue or renew the license or may cause the license to be revoked at any time.

You must sign and date before a Notary Public:

Signature of Applicant: _____

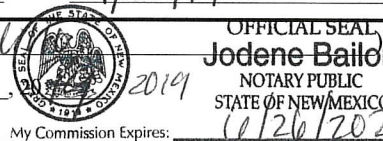
Date: 1/18/19

NOTARY PUBLIC USE ONLY: (State of New Mexico, County of Bernal)

SUBSCRIBED AND SWORN TO before me this 18th day of January

By: Jodene Bailon Notary Public: Jodene Bailon

My Commission Expires: 6/26/2022



FOR LOCAL OPTION DISTRICT USE ONLY: Local Governing Body of: _____ City, County, Village

Public Hearing held on _____, 20____ Check one: ☐ Approved ☐ Disapproved

Signature and Title of City/County Official: _____

FOR ALCOHOL AND GAMING DIVISION USE ONLY: ☐ Approved ☐ Disapproved

Signed by Director: _____ Date: _____



PREMISES LOCATION, OWNERSHIP, AND DESCRIPTION

NMSA §60-6B-10

1. The land and building which is proposed to be the licensed premises is: (check one)

- ☐ Owned by Applicant, copy of deed/document attached ☒ Leased by Applicant, copy of lease/document attached
☐ Other (provide details): _____

2. If the land and building are not owned by Applicant, indicate the following:

A. Owner(s): Central Park Square LLC

B. Date and Term of Lease: 6/1/19 (5-yr)

3. Premises location is Zoned (example C-1, see Zoning Statement): DT-TCO

☒ Zoning Statement attached, which must be obtained from the Local Government, listing the proposed location by address, Type of Zone, state whether alcoholic beverages are allowed at proposed location, and if applicable, whether packaged sales, patio service and/or manufacturing is allowable. If there is no zoning in the proposed location, attach Statement from the local government, indicating there is no zoning.

4. Distance* from nearest Church: (Property line of church to closest point of licensed premises—shortest distance)

Name of Church: United Church of Los Alamos Miles/feet: 0.6 miles 3168 ft

Address/location of Church: 2525 Canyon Rd, Los Alamos, NM, 87544

5. Distance* from nearest School: (Property line of school to closest point of licensed premises—shortest distance)

Name of School: Los Alamos Public Schools Miles/feet: 0.3 miles 1584 ft

Address/location of School: 2075 Trinity Dr, Los Alamos, NM, 87544

6. Distance from military installation *(Property line of military installation to closest point of licensed premises—shortest distance.)

Name of Military Installation, circle one: Kirtland Air Force Base (Albuquerque), White Sands Missile Range (Las Cruces),
Miles: 80 Holloman Air Force Base (Alamogordo), Cannon Air Force Base (Clovis)

7. Attach Detailed Floor Plan, must include the Total Square Footage of premises; List nearest cross street; Show which direction is North; Show each level (floor) where alcoholic beverages will be sold or consumed, exterior walls, doors, and interior walls; Patio Area with type of barrier used; Highlight Bonded Areas. The floor plan should be no larger than 8½ x 11 inches and must be labeled with designated areas highlighted, which will reflect the proposed Licensed Premises.

8. Type of Operation: ☐ Hotel ☐ Lounge ☐ Package Grocery ☐ Restaurant ☐ Racetrack
☒ Small Brewer ☐ Craft Distiller ☐ Winery ☐ Wholesaler
☐ Other (specify): 2nd Off-Site Location

*NOTE: If the distance is beyond 300 feet, but less than 400 feet, a Registered Engineer or Licensed Surveyor must complete a Survey Certificate showing the exact distance.

RECEIVED

JAN 22 2019

January 18, 2019

New Mexico Regulation and Licensing Department
Alcohol and Gaming Division
2550 Cerrillos Road
Santa Fe, New Mexico 87505

Re: Zoning Statement; 145 Central Avenue, Los Alamos, New Mexico 87544

To Whom It May Concern:

Please be advised that above referenced property is zoned DT-TCO (Downtown District—Town Center Overlay).

The DT-TCO district is intended to accommodate mixed-use development combining office, commercial, civic, certain types of residential and other uses at the highest density allowed. The use of the property for the purpose of a "Tap Room" with liquor sales- including patio service and packaged sales - would be an allowed use within the provisions of the Incorporated County of Los Alamos Development Code.

A complete listing of allowable uses for this property can be found in the Los Alamos County, New Mexico, Code of Ordinances, Chapter 16, Article VII—Use Regulations.

Please feel free to contact me directly if you require additional information, or I can be of further assistance.

Very Truly,



Anita C. Barela
Planning Assistant

RECEIVED

JAN 22 2019

ALCOHOL & GAMING DIVISION