

**NHLC – DIVISION OF ENFORCEMENT – AGENDA
FOR WEDNESDAY, DECEMBER 19, 2012**

1. LICENSEES WHO HAVE NOT ATTENDED MANDATORY TRAINING:

None

2. HEARINGS SCHEDULED AT THE LIQUOR COMMISSION, 50 STORRS STREET, CONCORD, NH:

Date to be determined:

- a. Millercoors LLC, 311 10th Street, Golden, CO 80401.
Beverage Vendor license #45431.
Licensed pursuant to RSA 178:15.
Requests approval of Crispin The Saint with an alcohol content of 6.9%; Crispin Honey Crisp with an alcohol content of 6.5% percent; Crispin Lansdowne with an alcohol content of 6.9%; and Crispin Cho-tokkyu with an alcohol content of 6.5% at 60 degrees Fahrenheit by volume pursuant to RSA 178:1, LXIV-a and 179:40-a.
Recommendation: Approval.
TABLED ON AUGUST 1, 2012.
TO REMAIN TABLED; A HEARING WILL BE SCHEDULED.
TO REMAIN TABLED UNTIL THE OCTOBER 3, 2012 BUSINESS AGENDA; A HEARING MAY BE SCHEDULED.
COMMISSION DENIED REQUESTS AT ITS OCTOBER 3, 2012 BUSINESS MEETING;
A HEARING HAS BEEN VERBALLY REQUESTED BY THE LICENSEE; HEARINGS OFFICER IS ATTEMPTING TO OBTAIN A WRITTEN REQUEST AND DETERMINE WHO WILL BE REPRESENTING MILLERCOORS.
ON NOVEMBER 30, 2012, MILLERCOORS REQUESTED A HEARING IN WRITING; HEARINGS OFFICER WILL SCHEDULE.
- b. Peachy Canyon Winery, 2025 Nacimiento Lake Drive, Paso Robles, CA 93446.
Pending Direct Shipper Permit.
Recommendation: CHANGED TO TABLE.
APPROVED ITEM TO BE TABLED ON AUGUST 22, 2012.
COMMISSION APPROVED RECOMMENDATION TO DENY ON SEPTEMBER 26, 2012.
LICENSEE HAS REQUESTED A HEARING; REQUEST IS BEING PROCESSED.
COMMISSION ACKNOWLEDGED ON NOVEMBER 14, 2012.
A PRE-HEARING CONFERENCE IS SCHEDULED FOR DECEMBER 27, 2012.

HEARING SCHEDULED AT THE DIVISION OF ENFORCEMENT, 57 REGIONAL DRIVE, CONCORD, NH:

None

3. WARNING LETTERS/FINES/SUSPENSIONS/MANDATORY TRAINING FOR COMMISSION APPROVAL:

- a. Divots On The River, 1491 Front Street, Manchester, NH.
Sports Entertainment License #6014705.
Licensed pursuant to RSA 178:20, (u)(1).
Cited for violation of RSA 178:22/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: September 7, 2012.
Case #: 12-250-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation.

December 19, 2012 Enforcement Agenda

- b. India Palace, 575 South Willow Street, Manchester, NH.
Restaurant Beverage and Wine License #1228503.
Licensed pursuant to RSA 178:20.
Cited for violation of RSA 178:20/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: September 10, 2012.
Case #: 12-277-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation.

- c. Novedades El Paisano, 74 West Hollis Street, Nashua, NH.
Retail Tobacco License #824517.
License pursuant to RSA 178:19-a.
Cited for violation of RSA 178:19-a/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: October 11, 2012.
Case #: 12-314-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation.

- d. Shanil, 7 Spit Brook Road, Nashua, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3272347.
Licensed pursuant to RSA 178:18/126-K:4.
Cited for violation of RSA 178:18/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: September 5, 2012.
Case #12-266-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation.

- e. Tinker Seafood, 545 Hooksett Road, #6, Manchester, NH.
Restaurant Beverage and Wine License #535403.
Licensed pursuant to RSA 178:20.
Cited for violation of RSA 178:20/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: September 4, 2012.
Case #: 12-268-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation.

- f. Windham Variety Store, 123 North Lowell Road, Windham, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3165347.
Licensed pursuant to RSA 178:18/126-K:4.
Cited for violation of RSA 178:18/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: October 4, 2012.
Case #: 12-304-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation.

4. NOTIFICATION OF NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:

Rumney Road House Restaurant and Tavern, 556 Depot Street, Rumney, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1421103.
Licensed pursuant to RSA 178:21.
Cited for violation of RSA 187:21, II(2) – failed to have business/dining room open for evening meals 5 days a week.
Date of violation: September 21, 2012.
Case #12-296-OF.
\$100 administrative fine paid.

5. NOTIFICATION OF COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:

None

6. NOTIFICATION OF ALCOHOL COMPLIANCE CHECKS:

None

7. NOTIFICATION OF TOBACCO COMPLIANCE CHECKS:

Goffstown:

Andre's Food Mart, 680 Mast Road, Goffstown, NH.
Combination License #3280247.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: October 10, 2012.
Case #: 12-300-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.

Coos County:

- a. Blue Mountain Variety, Route 3, Columbia, NH.
Combination License #76547.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 29, 2012.
Case #: 12-290-OF.
Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of violation.
- b. Eaton Village Store, 2316 Eaton Road, Eaton Center, NH.
Combination License #3270847.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 29, 2012.
Case #: 12-290-OF.
Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of violation.

December 19, 2012 Enforcement Agenda

- c. Ron's Variety, 737 Main Street, Berlin, NH.
Combination License #3267947.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 29, 2012.
Case #: 12-290-OF.
Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of violation.
- d. Top Of The Hill Store, 395 Dalton Road, Dalton, NH.
Combination License #724247.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 29, 2012.
Case #: 12-290-OF.
Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of violation.
- e. Transedge Energy, 134 Lancaster Road, Whitefield, NH.
Combination License #3226247.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 29, 2012.
Case #: 12-290-OF.
Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of violation.
- f. Vashaw's Variety, 302 Main Street, Gorham, NH.
Combination License #3045747.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 29, 2012.
Case #: 12-290-OF.
Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of violation.

8. NOTIFICATION OF NEW APPROVED LICENSES:

- a. Analog Books LLC DBA Portsmouth Book & Bar, 40 Pleasant Street, Wolfeboro, NH 03894.
Issued Restaurant On-Premise Beverage/Wine License #1455203 pursuant to RSA 178:20.
- b. Dinner Table LLC (The), 121 Old Homestead Highway, Swanzey, NH 03446.
Issued Restaurant On-Premise Beverage/Wine/Liquor License #1456603 pursuant to RSA 178:21.
- c. Paint and Sip Corp. (The) DBA Muse Paintbar, 42 Hanover Street, Manchester, NH 03101.
Issued Restaurant On-Premise Beverage/Wine License #1455203 pursuant to RSA 178:20.
- d. Sodexo Management, Inc., 16 Clement Street, Nashua, NH 03060.
Issued Caterers On-Site On-Premise Cocktail Lounge License #1276326 pursuant to RSA 178:22, V.

9. NOTIFICATION OF APPROVED SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING DECEMBER 17, 2012: 1,011

- a. Anheuser-Busch LLC DBA Import Brands Alliance, One Busch Place, St. Louis, MO 63118.
Issued Beverage Vendor License #67031 pursuant to RSA 178:15.
Manufacturer: Cerveceria Nacional Dominicana, Dominic Republic.
- b. Black Rock Spirits LLC, 1951 1st Avenue South, Suite #5, Seattle, WA 98134.
Issued Liquor and Wine Vendor License #107245 pursuant to RSA 178:9.
- c. Carros Enterprises LLC DBA Kiamie Wine Cellars, 9750 Adelaida Road, Paso Robles, CA 93446.
Issued Direct Shipper Permit #8203533 pursuant to RSA 178:27.
- d. Donovan, Sahnda, 65 Graves Road, Walpole, NH 03608.
Issued Alcohol Consultant License #500144 pursuant to RSA 178:27-a.
Direct Shipper Permit Affiliate ITO Wines, Inc., Permit #8192033.
- e. Global Village Imports LLC, 349 South Henderson Road, King of Prussia, PA 19406.
Issued Beverage Vendor License #66131 pursuant to RSA 178:15.
Manufacturer: United Dutch Breweries.
- f. Irokos Group LLC, 101 Tremont Street, Suite 908, Boston, MA 02108.
Issued Beverage Vendor License #66931 pursuant to RSA 178:15.
Manufacturer: Blue Spike Bev., Inc.
- g. Latitude Beverage Company, 11-15 Court Road, Floor 3, Bedford, NY 10506.
Issued Liquor and Wine Vendor License #107345 pursuant to RSA 178:9.
- h. Libby, Richard, 28 Northgate Road, Ipswich, MA 01938.
Issued Alcohol Consultant License #500044 pursuant to RSA 178:27-a.
Direct Shipper Permit Affiliate ITO Wines, Inc., Permit #8192033.
- i. Pope Valley Winery LLC, 6613 Pope Valley Road, Pope Valley, CA 94567.
Issued Direct Shipper Permit #8203633 pursuant to RSA 178:27.
- j. 603 Brewery LLC, 24 Southmayd Road, Unit #2, Campton, NH 03223.
Issued Nano Brewery License #200722 pursuant to RSA 178:12-a.
- k. Spann Vineyards, Inc., 12900 Maple Glen Road, Glen Ellen, CA 95442.
Issued Direct Shipper Permit # 8203433 pursuant to RSA 178:27.
- l. Stelzner, Richard M. DBA Stelzner Vineyards, 1285 Dealy Lane, Napa CA 94559.
Issued Direct Shipper Permit #8203333 pursuant to RSA 178:27.
- m. Targ, Tricia, 24 Bayberry Road, Westford, MA 01886.
Issued Alcohol Consultant License #500344 pursuant to RSA 178:27-a.
Direct Shipper Permit Affiliate ITO Wines, Inc., Permit #8192033.
- n. West, Melissa, 36 White Water Drive, Penacook, NH 03303.
Issued Alcohol Consultant License #500244 pursuant to RSA 178:27-a.
Direct Shipper Permit Affiliate ITO Wines, Inc., Permit #8192033.

10. CANCELLATION OF PERMITS FOR COMMISSION APPROVAL:

None

11. NOTIFICATION OF APPROVED PETITIONS:

- a. Barnett Hill Vineyards LLC DBA Walpole Mountain View Winery, 114 Barnett Hill Road, Walpole, NH 03608.
Wine Manufacturer Off-Premise Wine Only License #563530.
Licensed pursuant to RSA 178:8.
Requested approval for authorization of other areas, to wit, Town of Walpole Farmer's Market at the Walpole Town Hall and Town Common, Walpole, NH every third Saturday from January through April, 2013 from 11:00 am to 2:00 pm; every Friday from May through October, 2013 from 4:00 pm to 6:00 pm; Saturday, November 23, 2013 from 9:00 am to 2:00 pm; and December 14, 2013 from 10:00 am to 2:00 pm.
- b. Calef's Since 1869 LLC DBA Calef's Country Store, 606 Franklin Pierce Road, Barrington, NH 03825.
Combination Off-Premise Beverage/Wine/Tobacco License #3298547.
Licensed pursuant to RSA 178:18.
Requested a waiver to RSA 179:48, IV, to wit, to allow an adjacent storage space pass-through shared with another business; the door will remain locked at all times.
- c. Canterbury Aleworks LLC, 305 Baptist Hill Road, Canterbury, NH 03224.
Nano Brewery License #200322.
Licensed pursuant to RSA 178:12-a.
Requested approval for authorization of other areas, to wit, Town of Tilton Farmer's Market at 15 Lowes Drive, Tilton, NH every Saturday from January through March, 2013 from 10:00 am to 2:00 pm.
- d. DPB Food Group LLC DBA Realm Restaurant, 23 Amherst Street, Manchester, NH 03101.
Restaurant On-Premise Beverage/Wine/Liquor License #1433103.
Licensed pursuant to RSA 178:21.
Requested permission to extend the service of alcohol to 1:30 am on January 1, 2013 pursuant to RSA 179:17, II (b).
- e. Doogie's LLC, 37 Manchester Street, Manchester, NH 03101.
Restaurant On-Premise Beverage/Wine/Liquor License #1451403.
Licensed pursuant to RSA 178:21.
Requested permission to extend the service of alcohol to 1:30 am on January 1, 2013 pursuant to RSA 179:17, II (b).
- f. Hart's Restaurant, Inc. DBA Hart's Turkey Farm Restaurant, 233 Daniel Webster Highway, Meredith, NH 03253.
Restaurant On-Premise Cocktail Lounge License #242703.
Licensed pursuant to RSA 178:22.
Requested approval for other areas, to wit, an extension request for an outside, tented area with seating for 150 on November 22, 2012 pursuant to RSA 178:24 and Liq. 404.05.
- g. Jewell Towne Vineyards, Inc., 65 Jewel Street, South Hampton, NH 03827.
Wine Manufacturer Off-Premise Wine Only License #561530.
Licensed pursuant to RSA 178:8.
Requested approval for authorization of other areas, to wit, Town of Salem Farmer's Market, Lake Street Garden Center, 37 Lake Street, Salem, NH every other Sunday from November 11, 2012 to May 19, 2013 from 1:00 pm to 4:00 pm.

December 19, 2012 Enforcement Agenda

- h. JPA III Management Co., Inc. DBA Radisson Hotel @ Center of New Hampshire, 700 Elm Street, Manchester, NH 03101.
Hotel On-Premise Cocktail Lounge License #214602.
Licensed pursuant to RSA 178:22, V(k).
Requested approval for authorization of other areas, to wit, during a holiday party guests will be allowed, with staff security, to carry their alcoholic drinks from the Expo Center to the Café and ballrooms and back to the Expo Center; the function is scheduled for 2 hours; the staff will control people carrying from area to area and will not allow alcoholic drinks outside these areas.
- i. Maxi Drug North, Inc. DBA Rite Aid 10281, 38 NH Route 25, Meredith, NH 03253-6335.
Combination Off-Premise Beverage/Wine/Tobacco License #3251047.
Licensed pursuant to RSA 178:18.
Requested approval for authorization to transfer business location, to wit, to close the current business on or about December 28, 2012 then transfer the business and supplies from 38 NH Route 25, Meredith, NH 03253-6335 to the new location at 343 Daniel Webster Highway, Meredith, NH 03253 pursuant to RSA 178:29, VIII.
- j. Nouria Energy Retail, Inc. DBA Nouria Energy Store #02026, 1932 South Willow Street, Manchester, NH 03103.
Combination Off-Premise Beverage/Wine/Tobacco License #3299247.
Licensed pursuant to RSA 178:18.
Requested approval to lease part of the premise, to wit, a portion of the licensed building to Dunkin Donuts and CAMCO, Inc. pursuant to RSA 179:48, VII.
- k. Oceanfront Gaming, Inc. DBA Oceanfront Gaming At Hampton Beach, 81 Ocean Boulevard, 2nd Floor, Hampton, NH 03842.
Restaurant On-Premise Beverage/Wine/Liquor License #1425703.
Licensed pursuant to RSA 178:21.
Requested permission to extend the service of alcohol to 1:30 am on January 1, 2013 pursuant to RSA 179:17, II (b).
- l. Tandy Stephens, Inc. DBA Tandy's Top Shelf, 1 Eagle Square, Concord, NH 03301.
Restaurant On-Premise Beverage/Wine/Liquor License #1404103.
Licensed pursuant to RSA 178:21.
Requested approval for an outside area, to wit, an outside atrium area at 7 Eagle Square, Concord, NH with a capacity of 206 on December 14 and 15, 2012 from 7:00 pm to 12:30 am sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- m. Tim's Café and Lounge LLC DBA Element Lounge, 1055 Elm Street, Manchester, NH 03101.
Restaurant On-Premise Cocktail Lounge License #242703.
Licensed pursuant to RSA 178:22.
Requested permission to extend the service of alcohol to 1:30 am on January 1, 2013 pursuant to RSA 179:17, II (b).
- n. Throwback Brewery LLC, 121 Lafayette Road, Building 2, #3, North Hampton, NH 03862.
Nano Brewery License #200222.
Licensed pursuant to RSA 178:12-a.
Requested approval for authorization of other areas, to wit, Town of Exeter Farmer's Market at Exeter High School, Exeter, NH on December 8, 2012, January 12, February 19, March 16, and April 13, 2013 from 10:00 am to 2:00 pm.; Town of Rollinsford Farmer's Market on December 2, 2012, January 26, February 23, and March 23, 2013 from 10:00 am and 2:00 pm.

- o. SAP House Meadery LLC, 6 Folsom Road, Center Ossipee, NH 03814.
Wine Manufacturer Off-Premise Wine Only License #563130.
Licensed pursuant to RSA 178:8.
Requested approval for authorization of other areas, to wit, Farmer's Market NH for the Holidays Expo, at Radisson, 700 Elm Street, Manchester, NH, 03103 on December 8, 2012 from 10:00 am to 8:00 pm and December 9, 2012 from 10:00 am to 4:30 pm.; Licensee will provide adequate security for product pursuant to RSA 178:24 and Liq. 404.05.

12. FELON EXCEPTIONS:

None

13. COMMISSION DECISIONS PENDING AFTER AGENDA MEETING:

None

14. COMMISSION DECISIONS PENDING AFTER HEARING:

None

15. HEARING RESULTS:

- a. Alburritos Mexican Restaurant, 406 Union Street, Littleton, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1398503.
Licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: March 9, 2012.
Case #12-81-OF.
ON NOVEMBER 29, 2012, A PRE-HEARING CONFERENCE WAS HELD IN LIEU OF A HEARING WHERE SETTLEMENT WAS REACHED FOR A \$500 ADMINISTRATIVE FINE AND A THREE (3) DAY SUSPENSION OF LIQUOR LICENSE WITH ONE (1) DAY HELD IN ABEYANCE FOR TWELVE (12) MONTHS PENDING NO LIKE VIOLATION COMMENCING DECEMBER 27, 2012 WITH RE-GRANT ON DECEMBER 29, 2012.
- b. Spalding Inn/2 Kings Pub, 199 Mountain View Road, Whitefield, NH.
Restaurant Full Service With Lounge License #1378803.
Licensed pursuant to RSA 178:21, II(a)(1)/178:22, V(q).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: March 23, 2012.
Case #12-108-OF.
LICENSEE DID NOT APPEAR FOR THE HEARING ON DECEMBER 6, 2012; THE COMMISSION IMPOSED A FINE OF \$1,000 WITH \$500 SUSPENDED FOR TWELVE (12) MONTHS PENDING NO LIKE VIOLATION, 4 POINTS ASSESSED TO LIQUOR LICENSE AND A FIVE (5) DAY SUSPENSION OF LIQUOR LICENSE WITH TWO (2) DAYS HELD IN ABEYANCE FOR TWELVE (12) MONTHS FROM THE DATE OF THIS ORDER, DECEMBER 6, 2012, PENDING NO LIKE VIOLATION; THE THREE-DAY SUSPENSION SHALL BEGIN AT 12:01 AM ON WEDNESDAY, JANUARY 9, 2013; THE BAR(S) AREA MUST BE CLEARED OF PATRONS AND ALL BEVERAGES SHALL PUT AWAY AND SECURED BY 11:30 PM TUESDAY, JANUARY 8, 2013; THE LICENSEE SHALL PAY THE FINE PRIOR TO REOPENING FOR BUSINESS AT 12:01 AM ON SATURDAY, JANUARY 12, 2013.

16. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

- a. Anheuser-Busch LLC, One Busch Place, St. Louis, MO 63118.
Beverage Vendor License #54131.
Licensed pursuant to RSA 178:15.
Requests approval of Goose Island Cherry Rye Bourbon County Brand Stout with an alcohol content of 13.71% at 60 degrees Fahrenheit by volume and Goose Island Bourbon County Brand Coffee Stout with an alcohol content of 14% at 60 degrees Fahrenheit by volume pursuant to RSA 178:1, LXIV-a and 179:40-a.
Recommendation: Approval.

- b. Country Corner Mile LLC, Route 31, Greenville, NH 03048.
Agency Store Off-Premise Liquor Only License #980404.
Licensed pursuant to RSA 177:9.
Requests approval for renewal of license, to wit, to renew the Agency Store Off-Premise Liquor Only license pursuant to RSA 177:9.
Recommendation: Approval.
TABLED FOR FURTHER DISCUSSION WITH LICENSEE.

- c. Young's General Store LLC, 2792 North Main Street, Pittsburg, NH 03592.
Agency Store Off-Premise Liquor Only License #980504.
Licensed pursuant to RSA 177:9.
Requests approval for renewal of license, to wit, to renew the Agency Store Off-Premise Liquor Only license pursuant to RSA 177:9
Recommendation: Approval.
TABLED FOR FURTHER DISCUSSION WITH LICENSEE.

17. EXECUTIVE SESSION ITEMS:

None