

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, FEBRUARY 5, 2015

1. **HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREETS, CONCORD, NH:**

None

HEARINGS TO BE HELD AT THE OFFICES OF THE PUBLIC UTILITIES COMMISSION, WALKER BUILDING, 21 SOUTH FRUIT STREET, CONCORD, NH:

February 19, 2015 @ 9:30 a.m.:

- a. Foresters' Club Of Newport, 38 Maple Street, Newport, NH.
Social Club License #16201 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 179:19, VI/RSA 647:2 – allowed gambling and wagering on the premises.
Date of violation: July 11, 2014.
Case #: 14-269-OF.

February 19, 2015 @ 10:00 a.m.:

- b. Arena Sports Bar & Nightclub, 53 High Street, Nashua, NH.
Restaurant Full Service With Lounge License #1453303 licensed pursuant to RSA 178:21, II(a)(1)/RSA 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: February 1 - 2, 2013.
Case #: 14-116-OF.

February 19, 2015 @ 10:00 a.m.:

- c. Victory Lanes Bowling & Sports Bar, 9 Central Street, Woodsville, NH.
Sports Entertainment License #6014105 licensed pursuant to RSA 178:22, V(u)(1).
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.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise – 2 counts.
Date of violations: January 17, 2014, February 21 – 22, 2014 & April 19, 2014.
Case #: 14-246-OF, 14-248-OF & 14-227-OF.

February 19, 2015 @ 10:30 a.m.:

- d. Pacific Fusion Restaurant, 356 D.W. Highway, Merrimack, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1442203 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: July 26, 2014.
Case #: 14-265-OF.

February 19, 2015 @ 10:30 a.m.:

- e. Singin' Bowl, 10 Bridge Street #4, Pelham, NH.
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #401606 licensed pursuant to RSA 178:20-a.
Cited for violation of RSA 178:20-a, II – failed to generate 60% of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays.
Date of violation: February 6, 2014.
Case #: 14-42-OF.

February 19, 2015 @ 11:00 a.m.:

- f. Goat Bar & Grill, 20 L Street, Hampton, NH.
Seasonal Restaurant On-Premise Beverage/Wine/Liquor License #1490303 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 – 2 counts.
Date of violations: July 12, 2014.
Case #: 14-250-OF.

February 19, 2015 @ 11:30 a.m.:

- g. Rack's Bar & Grill, 20 Plaistow Road, Plaistow, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1465103 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 with 1 fatality.
Date of violation: October 5, 2013.
Case #: 13-314-OF.

Date to be determined:

- h. Club 550, 2025 White Mountain Highway, North Conway, NH.
Sports Entertainment License #2503005 licensed pursuant to RSA 178:22, V(u)(1).
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.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.
Date of violations: May 25, 2014.
Case #: 14-170-OF.
THE LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE.

Date to be determined:

- i. Club Social, 240 Main Dunstable Road, Nashua, NH.
Social Club License #16501 licensed pursuant to RSA 178:22, V(h).
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.
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises – 3 counts.
Dates of violations: July 18, 2013 – the present & May 3, 2014.
Case #s: 14-91-OF & 14-170-OF.
**THE DIVISION OF ENFORCEMENT REQUESTED AND WAS GRANTED A MOTION TO CONTINUE.
LICENSE IS IN SAFEKEEPING.**

Date to be determined:

- j. Jade Palace, 28 Portsmouth Avenue, Stratham, NH.
Restaurant Full Service With Lounge License #1476403 licensed pursuant to RSA 178:21, II(a)(1)/RSA 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.
Cited for violation of RSA 179:44, I – gave away free drinks to customers, patrons, members or guests.
Date of violations: March 6, 2014.
Case #: 14-90-OF.
THE DIVISION OF ENFORCEMENT REQUESTED AND WAS GRANTED A MOTION TO CONTINUE.

Date to be determined:

- k. Zaboo, 24 Depot Street, Manchester, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1494103 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person.
Cited for violation of RSA 179:44, I – gave away free drinks to customers, patrons, members or guests.
Dates of violations: October 31, 2014 & September 6, 2014.
Case #: 14-413-OF & 14-338-OF.
THE LICENSEE FILED A MOTION TO CONTINUE WHICH WAS GRANTED IN PART; NEW DATE TO BE DETERMINED.
SETTLEMENT PENDING.

2. NOTIFICATION OF DISCIPLINARY ACTION:

- a. Highland Mountain Bike Park, 72 Ski Hill Drive, Northfield, NH.
Restaurant Beverage and Wine License #1328803 licensed pursuant to RSA 178:20.
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.
Cited for violation of RSA 179:5, II – allowed an underage person to possess or consume alcoholic beverage.
Cited for violation of RSA 179:8, I – failed to require the purchaser to furnish a motor vehicle driver's license issued by the state of New Hampshire, or a valid driver's license issued by another state, or province of Canada, which bears the date of birth, name, address and picture of the licensee.
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Date of violations: November 15, 2014.
Case #: 14-428-OF.
For violations of RSA 179:5, I & RSA 179:5, II, an administrative fine of \$2,000 with \$500 suspended for twelve (12) months pending no like violation, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended commencing November 1, 2015 with re-grant on January 1, 2016; for violation of RSA 179:8, an administrative fine of \$100; for violation of RSA 179:20, an administrative fine of \$100; for violation of RSA 179:27, an administrative fine of \$2,000 with \$500 suspended twelve (12) months pending no like violation; for violation of RSA 179:51, an administrative fine of \$2,000 with \$500 suspended twelve (12) months pending no like violation; mandatory police and fire details shall be obtained by the licensee for all end-of-season events, all events shall be 21+ from the present through December, 2016, mandatory attendance at a Management Training Seminar (MTS) for all licensees prior to March 15, 2015, mandatory attendance at a Total Education In Alcohol Management (TEAM) seminar in a classroom for all servers prior to April 15, 2015, the Licensees shall contact the training unit to schedule training as indicated above & the Licensees shall create a house policy manual that details service of alcohol; a copy shall be provided to each of its employees and to

the DOE within thirty (30) days from the date this agreement is approved.

TABLED UNTIL LICENSEE CAN ATTEND THE 2/12/15 ENFORCEMENT AGENDA MEETING.

- b. Mr. Gas+, 36 West River Road, Hooksett, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3270547 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 175:1/Liq. 404.02 - failed to have representative grocery items commonly found in a grocery or convenience store.
Date of violation: December 26, 2014.
Case #: 15-4-OF.
\$250 administrative fine suspended for twelve (12) months pending no like violation.
COMMISSION ACKNOWLEDGED.
- c. Queen City Market, 31A Elm Street, Manchester, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3257247 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:50, II – allowed the premise to be used for a purpose contrary to law.
Date of violation: November 12, 2014.
Case #: 14-422-OF.
\$2,000 administrative fine with \$1,000 suspended for twelve (12) months pending no like violation and a fifteen (15) day suspension of liquor license held in abeyance for twelve (12) months pending no like violation.
COMMISSION ACKNOWLEDGED.

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

- a. Atwater Brewery, 347 Joseph Campau, Detroit, MI.
Beverage Vendor License #50731 licensed pursuant to RSA 178:15.
Cited for violation of Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: January 6, 2015.
Case #: 15-6-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. Jewel Nightclub, 61 Canal Street, Manchester, NH.
Sports Entertainment License #6018305 licensed pursuant to RSA 178:22, V(u)(1).
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Date of violation: May 30, 2014.
Case #: 14-207-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Bella's Casual Dining LLC, 5 Mill Road, Unit K, Durham, NH 03824.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1498503 pursuant to RSA 178:21.
30 Day Temporary License issued: 1/28/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Colby-Sawyer College DBA Colby-Sawyer Pub, 100 Charges Road, New London, NH 03257.
To be issued College Club License #393128 pursuant to RSA 178:22, V(f).
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. 8NE5 LLC, 815 Elm Street, Manchester, NH 03101.
To be issued Restaurant On-Premise Beverage and Wine License #1499203 pursuant to RSA 178:20.
30 Day Temporary License issued: 1/26/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- d. FOE Claremont Eagles Aeries 4547, 163B Washington Street, Claremont, NH 03743.
To be issued Social Club On-Premise Cocktail Lounge License #400301 pursuant to RSA 178:22, V(h).
30 Day Temporary License issued: 1/29/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Old Guy LLC, 115 Main Street, Morris Block 1, North Woodstock, NH 03262.
To be issued Restaurant On-Premise Beverage and Wine License #1500803 pursuant to RSA 178:20.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. RBTC LLC DBA Tin Roof Tavern, 333 Valley Street, Unit 1, Manchester, NH 03101.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1502303 pursuant to RSA 178:21.
30 Day Temporary License issued: 1/30/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

5. **LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

6. **SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING FEBRUARY 3, 2015: 1,107

- a. LangeTwins Wine Company, Inc. DBA LangeTwins Winery & Vineyards, 1525 E. Jahant Road, Acampo, CA 95220.
Direct Shipper Permit pursuant to RSA 178:27.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Sheehan, Joy, 46 Oak Ridge Drive, Epsom, NH 03234.
To be issued Alcohol Consultant License #502944 pursuant to RSA 178:27-a.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Stonebraker-Soles, Inc. DBA ROCO Winery, 13260 NE Red Hills Road, Newberg, OR 97132.
Direct Shipper Permit pursuant to RSA 178:27.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Vino. Com LLC DBA Total Beverage Solution, 421 Wando Park Boulevard, Suite 200, Mt. Pleasant, SC 29464.
To be issued Beverage Vendor License #72731 pursuant to RSA 178:15.
Manufacturer: Dubuisson.
30 Day Temporary License issued 1/23/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Vino. Com LLC DBA Total Beverage Solution, 421 Wando Park Boulevard, Suite 200, Mt. Pleasant, SC 29464.
To be issued Beverage Vendor License #72831 pursuant to RSA 178:15.
Manufacturer: Dilewyns.
30 Day Temporary License issued 1/23/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

7. **SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

8. **CANCELLATION OF PERMITS FOR COMMISSION APPROVAL:**

None

9. **NOTIFICATION OF APPROVED PETITIONS:**

- a. Bella's Casual Dining LLC, 5 Mill Road, Unit K, Durham, NH 03824.
Restaurant On-Premise Beverage/Wine/Liquor License #1498503 licensed pursuant to RSA 178:21.
Date petition received: 1/26/2015.
Requested approval for authorization of other area, to wit, an outside patio front/side area with a capacity of 74, licensed pursuant to RSA 178:24 and Liq. 404.05.
- b. Common Man Meredith, Inc. DBA Lago Trattoria, 1 NH Routes 3 & 25, Meredith, NH 03253.
Restaurant On-Premise Cocktail Lounge License #1019903 licensed pursuant to RSA 178:22.
Date petition received: 1/13/2015.
Requested approval for an outside area, to wit, an outside tented area with a capacity of 450 from January 29, 2015 through February 1, 2015, sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Hospitality Resources, Inc. DBA Bedford Village Inn & Rest.,
2 Olde Bedford Way, Bedford, NH 03110.
Hotel On-Premise Cocktail Lounge License #349602 licensed pursuant to RSA 178:22, V(k).
Date petition received: 1/21/2015.
Requested approval for an outside area, to wit, an outside ice bar area with a capacity of 175 from January 28, 2015 through January 31, 2015 as indicated in a letter dated January 14, 2015, pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. Hospitality Resources, Inc. DBA Bedford Village Inn & Rest.,
2 Olde Bedford Way, Bedford, NH 03110.
Hotel On-Premise Cocktail Lounge License #349602 licensed pursuant to RSA 178:22, V(k).
Requested an exception to RSA 178:27, III to wit, for authorization to purchase wine from Direct Shipper Kistler Vineyards LLC, 4707 Vine Hill Road, Sebastopol, CA 95472, Permit #8130533, pursuant to RSA 179:32, III.
COMMISSION ACKNOWLEDGED.
- e. Hospitality Resources, Inc. DBA Bedford Village Inn & Rest.,
2 Olde Bedford Way, Bedford, NH 03110.
Hotel On-Premise Cocktail Lounge License #349602 licensed pursuant to RSA 178:22, V(k).
Requested an exception to RSA 178:27, III to wit, for authorization to purchase wine from Direct Shipper Schrader Cellars LLC, 2075 Summit Lake Drive, Angwin, CA 94508, Permit #8160233, pursuant to RSA 179:32, III.
COMMISSION ACKNOWLEDGED.
- f. Hospitality Resources, Inc. DBA Bedford Village Inn & Rest.,
2 Olde Bedford Way, Bedford, NH 03110.
Hotel On-Premise Cocktail Lounge License #349602 licensed pursuant to RSA 178:22, V(k).
Requested an exception to RSA 178:27, III to wit, for authorization to purchase wine from Direct Shipper Quiceda Creek Vintners, Inc., 11306 52nd Street SE, Snohomish, WA 98290, Permit #8031833, pursuant to RSA 179:32, III.
COMMISSION ACKNOWLEDGED.

10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

Raphael Social Club, 18 Blaine Street, Manchester, NH.
Social Club License #11501 licensed pursuant to RSA 178:22, V(h).
Requested approval for a Felon Exception for Anthony Gianitsis as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).
Case #: 14-439-OF.
COMMISSION ACKNOWLEDGED.

11. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

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

None

13. NOTIFICATION OF COMPLIANCE CHECKS:

None

14. NOTIFICATION OF HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

Victor Lantigue DBA La Simpatia Lounge and Grill, 60 West Hollis Street, Nashua, NH 03060.
Restaurant Beverage and Wine License #1480503 licensed pursuant to RSA 178:20.
Date petition received: 1/26/2015.
Requests approval for an upgrade to a full liquor license per the Terms and Conditions of Settlement Agreement dated December 2, 2014.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

None