

AGENDA FOR THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, MARCH 12, 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:

March 19, 2015 @ 12:30 p.m.:

- a. 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.
LICENSEE REQUESTED AND WAS GRANTED A CONTINUANCE.

March 19, 2015 @ 1:30 p.m.:

- b. 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 – 2 counts.
Dates of violations: October 31, 2014, September 6, 2014 & January 9, 2015.
Case #: 14-413-OF, 14-338-OF & 15-24-OF.
THE LICENSEE FILED A MOTION TO CONTINUE WHICH WAS GRANTED IN PART; NEW DATE TO BE DETERMINED.
SETTLEMENT PENDING.
HEARING REQUESTED BY LICENSEE.

March 19, 2015 @ 2:30 p.m.:

- c. 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.

April 16, 2015 @ 9:30 a.m.:

- d. Boston Billiard Club, 55 Northeaster Blvd., Nashua, NH.
Sports Entertainment License #6012305 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 – 2 counts.
Dates of violations: July 18, 2014 & October 31, 2014.
Case #: 14-255-OF & 14-410-OF.

April 16, 2015 @ 10:30 a.m.:

- e. Club Manchvegas, 50 Old Granite Street, Manchester, NH.
Restaurant Full Service With Lounge License #1419703 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 – 2 counts.
Date of violation: March 22 – 23, 2014.
Case #: 14-124-OF.
**LICENSEE WILL FILE A MOTION TO CONTINUE.
DECISION PENDING.**

April 16, 2015 @ 10:30 a.m.:

- f. Tokyo Express, 14 Cypress Street, Keene, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1438003 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 – 7 counts.
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.
Date of violations: April 11, 2014.
Case #: 14-135-OF.

April 16, 2015 @ 1:00 p.m.:

- g. 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.
**LICENSEE FILED A MOTION TO CONTINUE; DECISION PENDING.
MOTION GRANTED.**

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 #: 14-91-OF & 14-170-OF.
THE DIVISION OF ENFORCEMENT REQUESTED AND WAS GRANTED A MOTION TO CONTINUE.
LICENSE IS IN SAFEKEEPING.

2. NOTIFICATION OF DISCIPLINARY ACTION:

None

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

- a. Antonia's Greek Kitchen and Pizzeria, 35 Main Street, Wilton, NH.
Restaurant Beverage and Wine License #1499003 licensed pursuant to RSA 178:20.
Cited for violation of RSA 178:2/Liq. 603.01 – failed to attend a required training program within 45 days of the issuance of the liquor license.
Date of violation: January 29, 2015.
Case #: 15-47-OF.
\$100 administrative fine paid.
- b. Family Dollar 1881, 48 Allenstown Road, Allenstown, NH.
Retail Tobacco License #120617 licensed pursuant to RSA 126-K:4.
Cited for violation of RSA 179:52 – failed to post license in a conspicuous place on the premises.
Date of violation: February 12, 2015.
Case #: 15-48-OF.
\$250 administrative fine paid.
- c. Hess Express, 15 Hall Street, Concord, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3070047 licensed pursuant to RSA 178:18/RSA 126-K:4.
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 violation: February 21, 2015.
Case #: 15-64-OF.
\$250 administrative fine paid.
- d. Kathleen's Cottage, 90 Lake Street, Bristol, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1374403 licensed pursuant to RSA 178:21.
Cited for violation of Liq. 704.01(b)(6) – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: February 3, 2015.
Case #: 15-41-OF.
\$100 administrative fine paid.
- e. Tough Tymes Grille & Pub, 221 Rochester Road, Northwood, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1427903 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:19, VI/RSA 647:2 – allowed gambling and wagering on the premises.
Date of violation: January 30, 2015.
Case #: 15-35-OF.
\$250 administrative fine paid.

- f. Waterhouse's Country Store, 18 Mammoth Road, Windham, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #789147 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of Liq. 704.01(b)(6) – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: February 4, 2015.
Case #: 15-44-OF.
\$100 administrative fine paid.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. 3S Kitchen LLC DBA Block Six, 319 Vaughn Street, Portsmouth, NH 03801.
To be issued Caterer-Off-Site License #1284834 pursuant to RSA 178:22, V(e).
- b. 3S Kitchen LLC DBA Block Six, 319 Vaughn Street, Portsmouth, NH 03801.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1502603 pursuant to RSA 178:21.
- c. Always Fresh LLC, 45 Main Street, Keene, NH 03431.
To be issued Restaurant On-Premise Beverage and Wine License #1502903 pursuant to RSA 178:20.
30 Day Temporary License issued on 3/2/2015.
- d. Beveridge Craft Beer + Soap Co. LLC, 51 North Main Street, Wolfeboro, NH 03894.
To be issued Conditional Combination License/Combination Beverage/Wine/Tobacco License #3306747 and Restaurant Beverage/Wine License #1500603 pursuant to RSA 178:17-a.
30 Day Temporary License issued for Restaurant License #1500603 on 3/5/2015.
- e. Colwen Management DBA 36 Main Street Bistro, 30 Main Street, Keene, NH 03431.
To be issued Restaurant On-Premise Cocktail Lounge License #1500303 pursuant to RSA 178:22.
30 Day Temporary License issued on 3/2/2015.
- f. Girls at Work, Inc., NH Institute of Art, 148 Congress Street, Manchester, NH 03104.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:22, V(I).
Event date: 3/28/2015.
- g. Howe Library Corporation, Howe Library, 13 South Street, Hanover, NH 03755.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:22, V(I).
Event date: 3/21/2015.
- h. Number 5 Tavern (The) LLC, 157 Main Street, Hopkinton, NH 03229.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1498003 pursuant to RSA 178:21.
30 Day Temporary License issued on 3/3/2015.
- i. Salem Boys & Girls Club, Inc., 3 Geremonty Drive, Salem, NH 03079.
To be issued off-sale special licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:17, II.
Event date: 4/18/2015.

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 MARCH 10, 2015: 1,112

- a. Fritz Cellars, Inc., 24691 Dutcher Creek Road, Cloverdale, CA 95425.
Direct Shipper Permit pursuant to RSA 178:27.
- b. Leonardini Family Winery LLC, 1563 St. Helena Hwy. S., St. Helena, CA 94574.
Direct Shipper Permit pursuant to RSA 178:27.
- c. Todd, Brittany, 14 Franconia Drive, Merrimack, NH 03054.
To be issued Alcohol Consultant License #503544 pursuant to RSA 178:27-a.
- d. United States Beverage LLC, 700 Canal Street, Stamford, CT 06902.
To be issued Beverage Vendor License #73231 pursuant to RSA 178:15.
Manufacturer: Moosehead.
30 Day Temporary License issued: 3/3/2015.
- e. Wine Awesomeness LLC, 94 Spring Street, Charleston, SC 29403.
Direct Shipper Permit pursuant to RSA 178:27.

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. L.B.O. Holding, Inc. DBA Attitash/Bear Peak Resort, Route 302, Bartlett, NH 03812.
Restaurant On-Premise Beverage/Wine/Liquor License #1009403 licensed pursuant to RSA 178:21.
Date petition received: 2/17/2015.
Requested approval for authorization of other areas, to wit, an outside, fenced-in area for event dates March 7, 2015 through April 5, 2015, approval contingent upon receipt of a Permit of Assembly from the local Fire Department pursuant to RSA 178:24 and Liq. 404.05.
- b. Pat's Peak Skiing LLC, Pats Peak, 686 Flanders Road, Henniker, NH 03242.
Sports Recreation License #572105 licensed pursuant to RSA 178:22, V(v).
Date petition received: 3/2/2015.
Requested approval for authorization of other areas, to wit, an outside area for event date March 21, 2015 with a capacity of 240 pursuant to RSA 178:24 and Liq. 404.05.
- c. Pat's Peak Skiing LLC DBA Pats Peak, 686 Flanders Road, Henniker, NH 03242.
Sports Recreation License #572105 licensed pursuant to RSA 178:22, V(v).
Date petition received: 3/2/2015.
Requested approval for authorization of other areas, to wit, an outside area for event date April 4, 2015 with a capacity of 240 pursuant to RSA 178:24 and Liq. 404.05.
- d. Pat's Peak Skiing LLC DBA Pats Peak, 686 Flanders Road, Henniker, NH 03242.
Sports Recreation License #572105 licensed pursuant to RSA 178:22, V(v).
Date petition received: 3/2/2015.
Requested approval for authorization of other areas, to wit, an outside area for event dates August 23, 2015 and November 2, 2015 with a capacity of 5,191 pursuant to RSA 178:24 and Liq. 404.05.

- e. Tuohy's Tavern LLC DBA Salt Hill, 2 West Park Street, Lebanon, NH 03766.
Restaurant On-Premise Beverage/Wine/Liquor License #1242903 licensed pursuant to RSA 178:21.
Date petition received: 3/3/2015.
Requested approval for authorization of other areas, to wit, an outside area for event date March 14, 2015 with a capacity of 400 pursuant to RSA 178:24 and Liq. 404.05.
- f. WC Acquisition Corp. DBA Wildcat Mountain Ski Area, 542 Route 16, Pinkham's Grant, Gorham, NH 03581.
Restaurant On-Premise Beverage/Wine/Liquor License #1009403 licensed pursuant to RSA 178:21.
Date petition received: 2/12/2015.
Requested approval for authorization of other areas, to wit, an outside area for event dates March 7, 2015 and March 8, 2015 with a capacity of 1,600 pursuant to RSA 178:24 and Liq. 404.05.

10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

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:

Kelsen Brewing Company LLC, 80 North High Street, Unit 3, Derry, NH 03038.
Beverage Manufacturer License #289918 licensed pursuant to RSA 178:12.
Requests approval of Vinatta Russian Imperial Stout with an alcohol content of 12% at 60 degrees Fahrenheit by volume pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
Recommendation: Approval.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. New England Disabled Sports, Whales Tale Waterpark, 491 DW Highway, Lincoln, NH 03251.
To be issued off-sale special licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:17, II.
Event date: 3/14/2015.
Recommendation: Expedited approval.
Commission approved on 3/5/2015.
- b. Seacoast Eat Local, Wentworth Greenhouses, 141 Rollins Road, Rollinsford, NH 03869.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:22, V(I).
Event date: 3/14/2015.
Recommendation: Expedited approval.
Commission approved on 3/5/2015.