

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, MARCH 19, 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.
LICENSEE HAS RETAINED COUNSEL; ASSENTED-TO MOTION TO CONTINUE FILED BY LICENSEE; DECISION PENDING.

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. 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.:

- f. 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.

May 21, 2015 @ 9:30 a.m.:

- g. Central Wave, 368 Central Avenue, Dover, NH.
Restaurant Full Service With Lounge License #1342503 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working – 3 counts.
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.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.
Dates of violations: March 14, 2014 & August 2, 2014.
Case #: 14-105-OF & 14-288-OF.

May 21, 2015 @ 9:30 a.m.:

- h. Chapanga's Griddle & Grill, 168 Elm Street, Milford, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1411203 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, II – allowed an underage person to possess or consume alcoholic beverage.
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: September 20, 2014.
Case #: 14-377-OF.

July 15, 2015 @ 9:30 a.m.:

- i. 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.
MOTION GRANTED.

Date to be determined:

- j. 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:

- k. 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.

2. NOTIFICATION OF DISCIPLINARY ACTION:

None

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

- a. Fury's Publick House, 1 Washington Street, Dover, NH.
Restaurant Full Service With Lounge License #1394003 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Date of violation: January 31, 2015.
Case #: 15-32-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. Williamsburg Winery, 5800 Wessex Hundred, Williamsburg, VA.
Direct Shipper Permit #8011733 licensed pursuant to RSA 178:27.
Cited for violation of RSA 178:27, V – failed to report a shipment by the 15th of the following month.
Date of violation: July 13, 2011.
Case #: 11-358-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Castro's Back Room IV, Inc., 132 Bedford Center Road, Bedford, NH 03110.
To be issued Cigar Bar On-Premise Cocktail Lounge License #402906 pursuant to RSA 178:20-a.
30 Day Temporary License issued: 3/11/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Nashua Center For The Multiply Handicapped, Inc.,
Radisson Hotel Ballroom, 11 Tara Boulevard, Nashua, NH 03062.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:22, V(I).
Event date: 3/27/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Salem Boys & Girls Club, Inc., Salem Boys & Girls Club, 3 Geremonty Drive, Salem, NH 03079.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:22, V(I).
Event date: 4/18/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Shri Pramukhdrashti Corp. DBA Romy's Market, 89 Marlboro Street, Keene, NH 03431.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3326847 pursuant to RSA 178:18.
30 Day Temporary License issued: 3/9/2015.
Recommendation: Approval.
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 MARCH 17, 2015: 1,117

None

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. Kathleen's Cottage LLC, 90 Lake Street, Bristol, NH 03222.
Restaurant On-Premise Beverage/Wine/Liquor License #1374403 licensed pursuant to RSA 178:21.
Date petition received: 3/2/2015.
Requested approval for authorization of other areas, to wit, an additional dining room area with a capacity of 150 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Main Crust Co. LLC, 227 Main Street, Marlborough, NH 03455.
Restaurant On-Premise Beverage/Wine/Liquor License #1438503 licensed pursuant to RSA 178:21.
Date petition received: 3/2/2015.
Requested approval for authorization to transfer business location, to wit, transfer location from 227 Main Street, Marlborough, NH to 4 Ling Street, Marlborough, NH per their letter dated 3/2/2015 pursuant to RSA178:29, VIII.
COMMISSION ACKNOWLEDGED.
- c. Main Crust Co. LLC, 227 Main Street, Marlborough, NH 03455.
Caterer-Off-Site License #1282934 licensed pursuant to RSA 178:22, V(e).
Date petition received: 3/2/2015.
Requested approval for authorization to transfer business location, to wit, transfer location from 227 Main Street, Marlborough, NH to 4 Ling Street, Marlborough, NH per their letter dated 3/2/2015 pursuant to RSA178:2, VIII.
COMMISSION ACKNOWLEDGED.
- d. Sorella Flower Company LLC, 905 Main Street, Contoocook, NH 03220.
Retail Wine Off-Premise Wine License #3158346 licensed pursuant to RSA 178:19.
Date petition received: 3/6/2015.
Requested approval to keep connecting door between business and another business called 3 On Main open during business hours and locked at all times when the licensee business is closed pursuant to RSA 179:48, IV.
COMMISSION ACKNOWLEDGED.
- e. WCP Vintners LLC DBA White Mountain Winery,
2724 White Mountain Highway, North Conway, NH 03860.
Wine Manufacturer Off-Premise Wine Only License #565230 licensed pursuant to RSA 178:8.
Date petition received: 3/6/2015.
Requested approval for storage in another area, to wit, to store wines in another area at 24 Report Court, North Conway, NH pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

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:

None

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Keene Family YMCA, 200 Summit Road, Keene, NH 03431.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 3/21/2015.
Recommendation: Expedited approval.
Commission approved on 3/12/2015.
COMMISSION ACKNOWLEDGED.
- b. New Hampshire Catholic Charities DBA NH Food Bank,
Crown Plaza Function Room, 2 Somerset Parkway, Nashua, NH 03063.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 3/20/2015.
Recommendation: Expedited approval.
Commission approved on 3/10/2015.
COMMISSION ACKNOWLEDGED.
- c. United Way of Greater Nashua, Nashua Community College, Amherst Street, Nashua, NH 03060.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 3/19/2015.
Recommendation: Expedited approval.
Commission approved on 3/10/2015.
COMMISSION ACKNOWLEDGED.