

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, APRIL 30, 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:

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

- a. 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 @ 10:00 a.m.:

- b. 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.

May 21, 2015 @ 10:30 a.m.:

- c. 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.

May 21, 2015 @ 1:00 p.m.:

- d. 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.
DISCREPANCY IN NOTICES RELATED TO HEARING RESULTED IN RESCHEDULING HEARING.

July 15, 2015 @ 9:30 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.
MOTION GRANTED.

Date to be determined:

- f. 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.

2. NOTIFICATION OF DISCIPLINARY ACTION:

None

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

None

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Brewster Academy,
Lake Winnepesaukee GC, 1 Lake Winnepesaukee Drive, New Durham, NH 03855.
To be issued an off-sale special license for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:17, II.
Event date: 5/22/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- b. California Burritos LLC, 101 Factory Street, Nashua, NH 03060.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1500203 pursuant to RSA 178:21.
30 Day Temporary License issued: 4/23/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- c. Castle on Charles Street (The) LLC, 19 Charles Street, Rochester, NH 03867.
To be issued Restaurant On-Premise Beverage and Wine License #1505103 pursuant to RSA 178:20.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- d. Earth Eagle Brewings LLC, 175 High Street, #6 & #7, Portsmouth, NH 03801.
To be issued Brew Pub License #2002315 pursuant to RSA 178:13.
30 Day Temporary License issued: 4/21/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- e. Granite State Music Arts Festival, Inc.,
Kiwanis River Front Park, 15 Loudon Road, Concord, NH 03301.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:22, V(l).
Event dates: 6/20/2015 & 6/21/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- f. Granite Young Men's Christian Academy,
Executive Court Banquet Facility, 1199 South Mammoth Road, Manchester, NH 03109.
To be issued a one-day license for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:22, V(l).
Event date: 5/7/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- g. Greater Dover Chamber of Commerce,
Wentworth-Douglas Hospital, 7809 Central Avenue, Dover, NH 03820.
To be issued a one-day license for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:22, V(l).
Event date: 5/8/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- h. JCB Inns LLC DBA Adair Country Inn, 80 Guider Lane, Bethlehem, NH 03574.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1502803 pursuant to RSA 178:21.
30 Day Temporary License issued: 4/20/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- i. Laconia Broken Spoke LLC DBA Broken Spoke Saloon, 1072 Watson Road, Laconia, NH 03246.
To be issued Restaurant On-Premise Cocktail Lounge License #1507303 pursuant to RSA 178:22.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- j. Las Palmas Mexican Grill LLC, 475 High Street, Suite B, Somersworth, NH 03878.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1499603 pursuant to RSA 178:21.
30 Day Temporary License issued: 4/21/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- k. One Love Brewery LLC, 120 Main Street, Lincoln, NH 03251.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1502103 pursuant to RSA 178:21.
30 Day Temporary License issued: 4/24/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- l. Rosie's & Phil's Place LLC, 764 NH 10 Lempster, NH 03605.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3327847 pursuant to RSA 178:18.
30 Day Temporary License issued: 4/20/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- m. Shogun Japanese Steakhouse LLC, 347 Shattuck Way, Newington, NH 03801.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1496003 pursuant to RSA 178:21.
30 Day Temporary License issued: 4/24/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- n. Suresh Neupane DBA Mt. Everest Goods, 14 Jenkins Court, Durham, NH 03824.
To be issued Retail Tobacco, Tobacco Only License #134217 pursuant to RSA 178:19-a.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- o. Wentworth Hotel Of Jackson, Inc., 1 Cater Notch Road, Jackson, NH 03846.
To be issued Hotel On-Premise Beverage, Wine and Liquor License #371002 pursuant to RSA 178:24, II(b)(1).
30 Day Temporary License issued: 4/20/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA 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 APRIL 27, 2015: 1,128

- a. Candia Road Brewing Company LLC, 840 Candia Road, Manchester, NH 03109.
To be issued Nano Brewery Beer and/or Specialty Beer License #202722 pursuant to RSA 178:12-a.
30 Day Temporary License issued: 4/20/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- b. Merchant Du Vin Corp., 119 1st Avenue South, Suite 400, Seattle, WA 98104.
To be issued Beverage Vendor License #73731 pursuant to RSA 178:15.
Manufacturer: Samuel Smith Old Brewery.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- c. GrapeSeed Wine Fund LLC, 120 Smith Court, Healdsburg, CA 95448.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- d. Mountain Peak Vineyards LLC DBA Mountain Peak Vineyards LLC,
3730 N. Silverado Trail, St. Helena, CA 94574.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- e. Merchant Du Vin Corp., 119 1st Avenue South, Suite 400, Seattle, WA 98104.
To be issued Beverage Vendor License #73831 pursuant to RSA 178:15.
Manufacturer: Lindemans Brewery.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- f. Merchant Du Vin Corp., 119 1st Avenue South, Suite 400, Seattle, WA 98104.
To be issued Beverage Vendor License #73931 pursuant to RSA 178:15.
Manufacturer: Ayingen Brewery.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- g. Merchant Du Vin Corp., 119 1st Avenue South, Suite 400, Seattle, WA 98104.
To be issued Beverage Vendor License #74031 pursuant to RSA 178:15.
Manufacturer: Deproof Brewery (Green's Beers).
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- h. Merchant Du Vin Corp., 119 1st Avenue South, Suite 400, Seattle, WA 98104.
To be issued Beverage Vendor License #74131 pursuant to RSA 178:15.
Manufacturer: Orval Trappist Brewery.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- i. Vino.com LLC DBA Total Beverage Solution,
421 Wando Park Boulevard, Suite 200, Mount Pleasant, SC 29464.
To be issued Beverage Vendor License #73131 pursuant to RSA 178:15.
Manufacturer: Cervejas Premium Do Brasil LTDA.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

TABLED ITEM:

- j. Drinks Licensing LLC DBA Drinks Licensing, 8838 Morrow Road, Atascadero, CA 93422.
Direct Shipper Permit Importer, Wholesaler, or Retailer pursuant to RSA 178:27..
DEPUTY COMMISSIONER MILLIGAN MOVED TO TABLE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
TABLED ON APRIL 23, 2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO TAKE THIS ITEM OFF THE TABLE; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA 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. Craft Brew Alliance, Inc. DBA Redhook Ale Brewery,
Pease International, 1 Redhook Way, Portsmouth, NH 03801.
Restaurant On-Premise Cocktail Lounge License #1036603 licensed pursuant to RSA 178:22.
Date petition received: 3/25/2015.
Requested approval for an outside area, to wit, an outside back lawn area with a capacity of 1,500 on April 24, 2015 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

- b. Galway Six LLC DBA Salt Hill Pub, 1407 Route 103, Newbury, NH 03255.
Restaurant On-Premise Beverage/Wine/Liquor License #1500903 licensed pursuant to RSA 178:21.
Date petition received: 4/16/2015.
Requested approval for authorization of other areas, to wit, an additional outside porch area with a capacity of 20 and an outside patio with a capacity of 58 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Jewell Towne Vineyards, Inc., 65 Jewell Street, South Hampton, NH 03827.
Wine Manufacturer Off-Premise Wine Only License #566030 licensed pursuant to RSA 178:8.
Date petition received: 4/22/2015.
Requested approval for authorization of other areas, to wit, City of Portsmouth Farmers' Market at the City Hall parking lot in Portsmouth, NH between 8:00 am and 1:00 pm from May 2, 2015 through November 7, 2015 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. Jewell Towne Vineyards, Inc., 65 Jewell Street, South Hampton, NH 03827.
Wine Manufacturer Off-Premise Wine Only License #566030 licensed pursuant to RSA 178:8.
Date petition received: 4/22/2015.
Requested approval for authorization of other areas, to wit, City of Concord Farmers' Market on Capitol Street in Concord, NH between 8:00 am and 12:30 pm from May 16, 2015 through October 31, 2015 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- e. Laconia Broken Spoke LLC DBA Broken Spoke Saloon, 1072 Watson Road, Laconia, NH 03246.
Restaurant On-Premise Cocktail Lounge License #1507303 licensed pursuant to RSA 178:22.
Date petition received: 4/23/2015.
Requested approval for authorization for three outside areas, to wit, an outside patio and deck area with a total capacity of 175 and an outside, fenced front lawn area with a capacity of 500 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- f. 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.
Date petition received: 4/22/2015.
Requested approval for an outside area, to wit, an outside atrium area at 7 Eagle Square, Concord, NH with a capacity of 206 on April 25, 2015 between 1:00 pm and 9:00 pm sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- g. Twins Smoke Shop, Inc., 128 Rockingham Road, Londonderry, NH 03053.
Cigar Bar On-Premise Cocktail Lounge License #401106 licensed pursuant to RSA 178:20-a.
Date petition received: 4/7/2015.
Requested approval for authorization to transfer business location, to wit, transfer location from 128 Rockingham Road, Londonderry, NH to 80 Perkins Road, Londonderry, NH as indicated in a letter dated 3/20/2015 pursuant to RSA178:29, VIII.
COMMISSION ACKNOWLEDGED.
- h. Wentworth Hotel of Jackson, Inc., 1 Carter Notch Road, Jackson, NH 03846.
Hotel Full Service with Lounge License #371002 licensed pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k).
Date petition received: 4/15/2015.
Requested approval for authorization of other areas, to wit, two additional outside patio areas with a total capacity of 111 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

- a. Big Apple #1109, 215 Main Street, Lancaster, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3108147 licensed pursuant to RSA 178:18/RSA 126-K:4.
Requested approval for a Felon Exception for Wendi Marshall as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).
Case #: 15-12-OF.
COMMISSION ACKNOWLEDGED.
- b. Workmen's Club, 183 Douglas Street, Manchester, NH.
Social Club License #10101 licensed pursuant to RSA 178:22, V(h).
Requested approval for a Felon Exception for Steven Handlin as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).
Case #: 15-143-OF.
COMMISSION ACKNOWLEDGED.

11. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

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

Wolfeboro, NH.

13. NOTIFICATION OF HEARING RESULTS:

None

14. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

None

15. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Brewers Retailers Entrepreneurs & Wholesalers For NH, Inc. DBA Brew NH,
Radisson Hotel, 11 Tara Boulevard, Nashua, NH 03062.
To be issued a one-day license for Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 4/18/2015.
Recommendation: Expedited approval.
Commission approved on 4/13/2015.
COMMISSION ACKNOWLEDGED.
- 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.
LICENSEE FILED A MOTION TO CONTINUE; DECISION PENDING.
MOTION GRANTED.
PREHEARING CONFERENCE HELD ON APRIL 16, 2015; CASE WAS SETTLED; AWAITING EXECUTION OF SETTLEMENT AGREEMENT.
COMMISSION ACKNOWLEDGED.