

**AGENDA FOR THE NHLC**  
**DIVISION OF ENFORCEMENT & LICENSING MEETING**  
**FOR THURSDAY, JUNE 4, 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:**

**June 18, 2015 @ 9:30 a.m.:**

- a. Hong Kong Gardens, 81 Main Street, Plymouth, NH.  
Restaurant Full Service With Lounge License #432403 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 intoxicated or who a reasonable and prudent person would know is intoxicated – 4 counts.  
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person – 2 counts.  
Cited for violation of RSA 179:60 – interfered with Liquor Investigator.  
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.  
Dates of violations: October 20, 2014, November 1, 2014, February 7, 2015, February 8, 2015, February 14, 2015 & March 8, 2015.  
Case #: 14-407-OF, 14-450-OF, 15-46-OF, 15-51-OF, 15-53-OF & 15-83-OF.

**June 18, 2015 @ 10:30 a.m.:**

- b. Tedeschi Foods Shops, 33 South Main Street, Plymouth, NH.  
Combination Off-Premises Beverage/Wine/Tobacco License #3286947 licensed pursuant to RSA 178:18/RSA 126-K:4.  
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was intoxicated or who a reasonable and prudent person would know is intoxicated.  
Date of violation: February 6, 2015.  
Case #: 15-45-OF.

**August 20, 2015 @ 9:30 a.m.:**

- c. 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 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.  
**TO BE RESCHEDULED AT THE REQUEST OF THE CHIEF HEARINGS OFFICER.**

**Date to be determined:**

- d. 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.  
**ASSENTED-TO MOTION TO CONTINUE FILED BY THE STATE; MOTION GRANTED ON MAY 21, 2015; HEARING POSTPONED UNTIL FURTHER NOTICE; SALE OF THE BUSINESS IS PENDING.**

**Date to be determined:**

- e. 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:**

- a. Ming House, 3 Hillside Avenue, Berlin, NH.  
Restaurant Full Service With Lounge License #1171303 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 179:43, I – sold beverage or liquor on credit.  
Date of violation: March 21, 2015.  
Case #: 15-105-OF.  
An administrative fine of \$250 suspended for twelve (12) months pending no like violation.
- b. Mr. Mike's, 9 Keene Road, Winchester, NH.  
Combination Off-Premises Beverage/Wine/Tobacco License #3289747 licensed pursuant to RSA 178:18/RSA 126-K:4.  
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person.  
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: February 7, 2015.  
Case #: 15-60-OF.  
For violation of RSA 179:5, I, an administrative fine of \$500, four (4) points shall be assessed to the liquor license and the license to sell alcohol shall be suspended for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing June 20, 2015 with re-grant on June 22, 2015; for violation of RSA 179:8, a \$100 administrative fine.

- c. Woodpecker's Pub & Eatery, 441 Route 49, Campton, NH.  
Restaurant Full Service With Lounge License #1415303 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 179:5, I - served 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 179:20, II – allowed an employee to consume alcoholic beverage while working.  
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.  
Date of violations: October 18, 2014.  
Case #: 14-412-OF.  
For violation of RSA 179:5, I, an administrative fine of \$500 to come forward from a like violation that was adjudicated on April 23, 2014, an additional administrative fine of \$1,000 four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended in the cocktail lounge only for five (5) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing June 24, 2015 with re-grant on June 28, 2015, Jesse Elderkin shall attend a Total Education in Alcohol Management (TEAM) seminar in a classroom by July 1, 2015, Casey Hart shall attend a Management Training Seminar (MTS) in a classroom by July 1, 2015 and the Licensee shall contact the training unit to schedule training as indicated above; for violation of RSA 179:51, an administrative fine of \$250; and for violation of RSA 179:20, an administrative fine of \$100.

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

T-Bones Market, 66 Union Avenue, Manchester, NH.  
Combination Off-Premises Beverage/Wine/Tobacco License #3327247 licensed pursuant to RSA 178:18/RSA 126-K:4.  
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: May 2, 2015.  
Case #: 15-212-OF.  
\$100 administrative fine paid.

**4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

- a. Area 23 LLC, 254 N. State Street, Concord, NH 03301.  
To be issued Restaurant On-Premise Beverage and Wine License #1509603 pursuant to RSA 178:20.
- b. Kelly's Country Kitchen LLC, 1075 Route 11, Farmington, NH 03835.  
To be issued Restaurant On-Premise Beverage and Wine License #1504503 pursuant to RSA 178:20.  
30 Day Temporary issued: 5/27/2015.
- c. R C Moore, Inc. DBA R C Moore Trucking & Distribution Services,  
8 Ginn Road, Scarborough, ME 04074.  
To be issued Carrier-Beverage/Wine/Liquor License #755316 pursuant to RSA 178:14.
- d. Stefanovouno LLC DBA Tommy K's Sports Bar & Restaurant,  
2323 Brown Avenue, Manchester, NH 03103.  
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1504103  
pursuant to RSA 178:21.  
30 Day Temporary License issued: 5/22/2015.
- e. White Lake Tavern LLC, 1536 White Mountain Highway, Tamworth, NH 03886.  
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1510903  
pursuant to RSA 178:21.  
30 Day Temporary License issued: 6/1/2015.

- f. WOW Country Store LLC DBA Grafton Country Store, 484 Main Street, Grafton, NH 03240. To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3321947 pursuant to RSA 178:18.  
30 Day Temporary License issued: 5/20/2015.

**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 JUNE 1, 2015: 1,127**

- a. Archangel Investments LLC DBA Baldacci Winery, 6236 Silverado Trail, Napa, CA 94558. Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- b. Brecon Estate, Inc., 7450 Vineyard Drive, Paso Robles, CA 93446. Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- c. Waltz Vineyards Estate Winery LLC DBA Waltz Vineyards, 1599 Old Line Road, Manheim, PA 17545. Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- d. Wither's Winery Holding LLC (The) DBA Withers Winery (The), 1160 Hopper Avenue, Santa Rosa, CA 95403. Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- e. Yamhill Valley Vineyards, Inc., 16250 SW Oldsville Road, McMinnville, OR 97128. Direct Shipper Permit Wine Manufacturer 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. American Legion Post 7, 94 Eastern Avenue, Rochester, NH 03867. Veterans Club License #22639 licensed pursuant to RSA 178:22, V(h).  
Date petition received: 4/27/2015.  
Requested approval for authorization of other areas, to wit, an outside field area with a capacity of 250 for an event on 5/30/2015 pursuant to RSA 178:24 and Liq. 404.05.
- b. Chapanga's Griddle & Grill LLC, 168 Elm Street, Milford, NH 03055. Restaurant On-Premise Beverage/Wine/Liquor License #1411203 licensed pursuant to RSA 178:21.  
Date petition received: 5/28/2015.  
Requested approval for authorization of other areas, to wit, an outside area with a capacity of 400 for an event on 5/28/2015 pursuant to RSA 178:24 and Liq. 404.05.
- c. HCC Wolfeboro LLC, 90 North Main Street, Wolfeboro, NH 03894. Hotel On-Premise Cocktail Lounge License #369402 licensed pursuant to RSA 178:22, V(k).  
Date petition received: 5/15/2015.

Requested approval for authorization of other areas, to wit, an outside tented area with a capacity of 360 for event dates June 12, 2015 through October 17, 2015 pursuant to RSA 178:24 and Liq. 404.05.

- d. Northern Embers LLC (The), 529 Route 3 North, Twin Mountain, NH 03595.  
Restaurant On-Premise Beverage/Wine/Liquor License #1471903 licensed pursuant to RSA 178:21.  
Date petition received: 5/26/2015.  
Requested approval for authorization of other areas, to wit, an outside patio area with a capacity of 50 pursuant to RSA 178:24 and Liq. 404.05.
- e. Pats Peak Skiing LLC DBA Pats Peak, 686 Flanders Road, Henniker, NH 03242.  
Sports Recreation License #572105 licensed pursuant to RSA 178:22, (v).  
Date petition received: 5/21/2015.  
Requested approval for authorization of other areas, to wit, an outside fenced area and an outside tented area with a total capacity of 2,907 for an event on 6/28/2015 pursuant to RSA 178:24 and Liq. 404.05.
- f. Prodigal Brewing Company LLC, 684 Town House Road, Effingham, NH 03882.  
Beverage Manufacturer License #288818 licensed pursuant to RSA 178:12.  
Date petition received: 5/29/2015.  
Requested approval for authorization of other areas, to wit, Town of New Hampton Farmers' Market on Winona Road in New Hampton, NH between 9:00 am and 1:00 pm on June 6, 2015, July 4, 2015, September 5, 2015 and October 3, 2015 pursuant to RSA 178:24 and Liq. 404.05.
- g. Rockingham Brewing Company LLC, 1 Corporate Park Drive, #1, Derry, NH 03038.  
Nano Brewery, Beer and/or Specialty Beer License #202222 licensed pursuant to RSA 178:12-a.  
Date petition received: 5/29/2015.  
Requested approval for authorization of other areas, to wit, Town of Derry Farmers' Market at Lot 1, West Broadway Road in Derry, NH between 3:00 pm and 6:00 pm from June 24, 2015 through September 23, 2015 pursuant to RSA 178:24 and Liq. 404.05.
- h. Sweet Summertime, Inc., 41 NH Route 25, Meredith, NH 03253.  
Restaurant Beverage and Wine License #1486803 licensed pursuant to RSA 178:20.  
Date petition received: 5/22/2015.  
Requested approval for authorization of other areas, to wit, an outside seating area with a capacity of 60 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. COMMISSION DECISIONS PENDING AFTER HEARING:**

- a. 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.  
HEARING HELD MAY 21, 2015.
  
- 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.  
HEARING HELD MAY 21, 2015.  
**LICENSEE FILED A MOTION FOR RECONSIDERATION ON JUNE 2, 2015.**
  
- c. 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.  
HEARING HELD MAY 21, 2015.

**15. NOTIFICATION OF HEARING RESULTS:**

None

**16. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:**

- a. Errol General Store, Inc., 76 Main Street, Errol, NH 03579.  
Agency Store Off-Premise Liquor Only License #980704 licensed pursuant to RSA 177:9.  
Requests approval for renewal of license, to wit, to renew Agency Store Off-Premise Liquor Only License pursuant to RSA 177:9.  
Recommendation: Approval.  
**AS PART OF THE COMMISSION'S YEARLY DUE DILIGENCE WITH ALL AGENCY STORE LICENSES, DEPUTY COMMISSIONER MILLIGAN MOVED TO TABLE THIS ITEM SO THAT DIRECTOR GERRISH CAN CONTACT THE LICENSEE TO OFFER WHATEVER ASSISTANCE HE MAY NEED RELATIVE TO THIS LIQUOR LICENSE. THE COMMISSION CURRENTLY HAS NO CONCERNS REGARDING THIS LICENSEE. CHAIRMAN MOLLICA SECONDED THE MOTION.**
- b. Exel New Hampshire, 683 Route 3-A, Bow, NH 03304.  
Agency Store Off-Premise Liquor Only License #172212 licensed pursuant to RSA 177:9.  
Requests approval for renewal of license, to wit, to renew Agency Store Off-Premise Liquor Only License pursuant to RSA 177:9.  
Recommendation: Approval.
- c. Smuttynose Brewing Co., Inc., 105 Towle Farm Road, Hampton, NH 03842.  
Beverage Manufacturer License #290118 licensed pursuant to RSA 178:12.  
Date petition received: 5/22/2015.  
Requests approval of Smuttlabs Durtay with an alcohol content of 12.65% at 60 degrees Fahrenheit by volume pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.  
Recommendation: Approval.
- d. Smuttynose Brewing Co., Inc., 225 Heritage Avenue, Portsmouth, NH 03801.  
Beverage Manufacturer License #287118 licensed pursuant to RSA 178:12.  
Date petition received: 5/22/2015.  
Requests approval of Smuttlabs Durtay with an alcohol content of 12.65% at 60 degrees Fahrenheit by volume pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.  
Recommendation: Approval.

**17. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:**

Notre Dame Arena, Inc., 15 Hillside Avenue, Berlin, NH 03570.  
To be issued a one-day license for Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).  
Event date: 5/30/2015.  
Recommendation: Expedited approval.  
Commission approved on 5/27/2015.