

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, JUNE 25, 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:

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

- a. 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.
RESCHEDULED AT THE REQUEST OF THE CHIEF HEARINGS OFFICER.

August 20, 2015 @ 10:30 a.m.:

- b. 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.

September 17, 2015 @ 9:30 a.m.:

- c. 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.
MOTION TO CONTINUE FILED BY LICENSEE ON JUNE 12, 2015.

September 17, 2015 @ 10:30 a.m.:

- d. 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 #s: 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.
LICENSEE FILED A MOTION FOR RECONSIDERATION FOR GOOD CAUSE ON JUNE 3, 2015.
ON JUNE 5, 2015, THE DIVISION OF ENFORCEMENT & LICENSING FILED A RESPONSE TO BOTH MOTIONS FOR RECONSIDERATION FILED BY THE LICENSEE.
ON JUNE 10, 2015, THE CHIEF HEARINGS OFFICER FOUND THAT THE LICENSEE WAS DEFAULTED IN ERROR ON MAY 21, 2015; A NEW PRE-HEARING AND HEARING WILL BE SCHEDULED; ACCORDINGLY, THERE IS NO NEED TO RULE ON THE LICENSEE’S MOTION TO RECONSIDER FOR GOOD CAUSE SHOWN; THE DIVISION OF ENFORCEMENT & LICENSING IS NOT REQUIRED TO PRODUCE BRIAN GUNNING AS A WITNESS.

To be determined:

- e. 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 179:5, I - served or sold an alcoholic beverage to an individual who was intoxicated or who a reasonable and prudent person would know is intoxicated.
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.
Date of violations: February 22, 2015.
Case #s: 15-61-OF & 15-63-OF.

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. Boulder Path, Inc. DBA Waterville Valley Golf Club,
3 Lost Pass Road, Waterville Valley, NH 03215.
To be issued Sports Recreation Facility Cocktail Lounge License #6019205 pursuant to RSA 178:22, V(v).
30 Day Temporary License issued: 6/17/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- b. Dolly Shakers LLC, 38 East Hollis Street, Nashua, NH 03060.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1511203 pursuant to RSA 178:21.
30 Day Temporary License issued: 6/16/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- c. Island Hospitality Management VI LLC DBA Courtyard Café,
700 Huse Road, Manchester, NH 03103.
To be issued Restaurant On-Premise Cocktail Lounge License #1506903 pursuant to RSA 178:22.
30 Day Temporary License issued: 6/15/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- d. Island Hospitality Management VI LLC DBA Railroad Square Bistro,
75 Railroad Street, Keene, NH 03431.
To be issued Restaurant On-Premise Cocktail Lounge License #1507003 pursuant to RSA 178:22.
30 Day Temporary License issued: 6/15/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- e. Island Hospitality Management VI LLC DBA Railroad Square Bistro,
75 Railroad Street, Keene, NH 03431.
To be issued Caterer-Off-Site License #1285534 pursuant to RSA 178:22, V(e).
30 Day Temporary License issued: 6/15/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- f. Island Hospitality Management VI LLC DBA Springhill Market,
975 Perimeter Road, Manchester, NH 03103.
To be issued Combination Off-Premise Beverage and Wine License #3328547 pursuant to RSA 178:18.
30 Day Temporary License issued: 6/15/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- g. Island Hospitality Management VI LLC DBA Suite Shop,
100 Perimeter Road, Manchester, NH 03103.
To be issued Combination Off-Premise Beverage and Wine License #3328447 pursuant to RSA 178:18.
30 Day Temporary License issued: 6/15/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- h. Island Hospitality Management VI LLC DBA Suite Shop,
100 Portsmouth Boulevard, Portsmouth, NH 03801.
To be issued Combination Off-Premise Beverage and Wine License #3328647 pursuant to RSA 178:18.
30 Day Temporary License issued: 6/15/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- i. Minoan LLC DBA M&Y Brick Oven Pizzeria & Grill,
62A Lafayette Road, Route 1, North Hampton, NH 03862.
To be issued Restaurant On-Premise Beverage and Wine License #1504303 pursuant to RSA 178:20.
30 Day Temporary License issued: 06/16/2015.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- j. Riendeau, Roland DBA Jericho Deli and Convenience,
174 Jericho Road, Berlin, NH 03570.
To be issued Combination Off-Premise Beverage and Wine License #3328947
pursuant to RSA 178:18.
30 Day Temporary License issued: 6/15/2015.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- k. Shivansh Corporation DBA Derry Convenience,
127 Rockingham Road, Suite 1, Derry, NH 03038.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3330047
pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 6/16/2015.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- l. WTKC Enterprises LLC DBA Christmas Island Steakhouse,
644 Weirs Boulevard, Laconia, NH 03246.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1511003
pursuant to RSA 178:21.
30 Day Temporary License issued: 6/17/2015.
**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 JUNE 19, 2015: 1,135

- a. Sousa, Bryant DBA Lineage Wine Selections, 14 Swift Lane, Merrimack, NH 03054.
To be issued Liquor and Wine Vendor License #113245 pursuant to RSA 178:9.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- b. Sousa, Bryant DBA Lineage Wine Selections, 14 Swift Lane, Merrimack, NH 03054.
To be issued Liquor and Wine Representative Off-Premise Wine and Liquor License #607335
pursuant to RSA 178:10.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- c. World's End LLC, 1285 Dealy Lane, Napa, CA 94559.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
**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. 7th Settlement Brewery LLC, 47 Washington Street, Dover, NH 03820.
Brew Pub On-Premise Cocktail Lounge License #2002015 licensed pursuant to RSA 178:13.
Date petition received: 6/12/2015.
Requested approval for authorization of other area, to wit, City of Dover Farmers' Market at the Chamber of Commerce Lot, 550 Central Avenue, Dover, NH from 2:00 pm to 6:00 pm on June 17, 2015, July 1, 2015, July 15, 2015, July 22, 2015, July 29, 2015, September 2, 2015, September 9, 2015 and September 16, 2015 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Boulder Path, Inc. DBA Waterville Valley Golf Club, 3 Lost Pass Road, Waterville Valley, NH 03215.
Sports Recreation License #6019205 licensed pursuant to RSA 178:22, V(v).
Date petition received: 6/17/2015.
Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 24 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Dolly Shakers LLC, 38 East Hollis Street, Nashua, NH 03060.
Restaurant On-Premise Beverage/Wine/Liquor License #1511203 licensed pursuant to RSA 178:21.
Date petition received: 6/16/2015.
Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 20 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. Donna Jean's Diner, Inc., 1208 Weirs Boulevard, Laconia, NH 03247.
Restaurant On-Premise Beverage and Wine License #1169703 licensed pursuant to RSA 178:20.
Date petition received: 6/12/2015.
Requested approval for authorization of other area, to wit, an outside area with a capacity of 128 for event dates June 12, 2015 through June 21, 2015 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- e. KJRASM LLC DBA Sal's Pizza, 96 DW Highway, Unit 5, Belmont, NH 03220.
Restaurant On-Premise Beverage and Wine License #1411403 licensed pursuant to RSA 178:20.
Date petition received: 6/01/2015.
Requested approval for authorization to transfer business location, to wit, to transfer location from 96 DW Highway, Unit 5, Belmont, NH 03220 to 360 Union Avenue, Laconia, NH 03246 per their letter dated May 29, 2015 pursuant to RSA 178:29, VIII.
COMMISSION ACKNOWLEDGED.
- f. Lakehouse @ Church Landing LLC, 281 DW Highway, Meredith, NH 03253.
Restaurant On-Premise Cocktail Lounge License #1263703 licensed pursuant to RSA 178:22.
Date petition received: 4/23/2015.
Requested approval for authorization of other area, to wit, an outside tented patio area with a capacity of 196 for event dates June 12, 2015 through October 24, 2015 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- g. Loon Mountain Recreation Co. DBA Governor Adams Lodge, Loon Mountain, Lincoln, NH 03251.
Sports Recreation License #284805 licensed pursuant to RSA 178:22, V(v).
Date petition received: 5/26/2015.
Requested approval for authorization of other area, to wit, an outside fenced in area with a total capacity of 2,000 for event date July 11, 2015 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- h. Minoan LLC DBA M&Y Brick Oven Pizzeria & Grill,
62A Lafayette Road, Route 1, North Hampton, NH 03862.
Restaurant On-Premise Beverage and Wine License #1504303 licensed pursuant to RSA 178:20.
Date petition received: 6/16/2015.
Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 20 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

- i. White Pine Hospitality LLC DBA Seasons on Loon/Black Diamond Bar & Grill,
90 Moon Mountain Road, Lincoln, NH 03251.
Restaurant On-Premise Cocktail Lounge License #1351403 licensed pursuant to RSA 178:22.
Date petition received: 6/10/2015.
Requested approval for authorization of other area, to wit, an outside beer garden area with a total capacity of 150 for event dates of June 19, 2015 through October 15, 2015 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:

Tobacco – Exeter:

Exeter One Stop, 94 Portsmouth Avenue, Exeter, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3263147 licensed pursuant to RSA 178:18/126-K:4.
Cited for violation of RSA 126-K:4 – sold tobacco to an underage person during a compliance check.
Date of violation: June 9, 2015.
Case #: 15-233-OF.
Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.
COMMISSION ACKNOWLEDGED.

14. COMMISSION DECISIONS PENDING AFTER HEARING:

None

15. NOTIFICATION OF HEARING RESULTS:

None

16. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

Victory Brewing Company, 420 Acorn Lane, Downingtown, PA 19335.
Beverage Vendor License #44231 licensed pursuant to RSA 178:15.
Requests approval of Hoppy Quad with an alcohol content of 13% at 60 degrees Fahrenheit by volume pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

17. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

None