

**MINUTES OF THE NHLC**  
**DIVISION OF ENFORCEMENT & LICENSING MEETING**  
**FOR THURSDAY, JULY 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:**

**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.

**August 20, 2015 @ 11:30 a.m.:**

- c. Blue Moon Country Store, 612 Ossipee Lake Road, Freedom, NH.  
Combination Off-Premises Beverage/Wine/Tobacco License #3019147 licensed pursuant to RSA 178:18/RSA 126-K:4.  
Cited for violation of RSA 178:19/Liq. 704.01(b)(6) – failed to renew liquor license thirty (30) days prior to expiration.  
Date of violation: May 26, 2015.  
Case #: 15-223-OF.

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

- d. Mise En Place Bistro, 96 Lehner Street, Wolfeboro, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1221903 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 178:19/Liq. 704.01(b)(6) – failed to renew liquor license thirty (30) days prior to expiration.  
Date of violation: May 5, 2015.  
Case #: 15-203-OF.

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

- e. Molly's Tavern & Restaurant, 35 Mount Vernon Road, New Boston, NH.  
Restaurant Full Service With Lounge License #1451603 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 178:19/Liq. 704.01(b)(6) – failed to renew liquor license thirty (30) days prior to expiration.  
Date of violation: June 2, 2015.  
Case #: 15-225-OF.

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

- f. 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.  
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.

**September 17, 2015 @ 1:00 p.m.:**

- g. Crazy Camel, 245 Maple Street, Unit #1, Manchester, NH.  
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #402006 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 24, 2015.  
Case #: 15-65-OF.

**October 15, 2015 @ 11:00 a.m.:**

- h. Whiskey Barrel BBQ & Roadhouse, 200 Portland Street, Lancaster, NH.  
Restaurant Full Service With Lounge License #1488803 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.  
Cited for violation of RSA 179:51 – failed to maintain an orderly premise – 3 counts  
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: March 29, 2015 & May 10, 2015.  
Case #: 15-114-OF & 15-184-OF.

**November 19, 2015 @ 9:30 a.m.:**

- i. 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 #: 15-61-OF & 15-63-OF.

**2. NOTIFICATION OF DISCIPLINARY ACTION:**

- a. Manchester Press Club, 157 Franklin Street, Manchester, NH.  
Social Club License #11801 licensed pursuant to RSA 178:22, V(h).  
Cited for violation of RSA 179:19, VI/RSA 647:2 – allowed gambling and wagering on the premises – 3 counts.  
Dates of violations: March 28, 2014, May 22, 2014 & June 12, 2014.  
Case #: 14-195-OF, 14-230-OF, 14-128-OF & 14-56-OF.  
\$4,500 administrative fine with \$3,000 held in abeyance for twelve (12) months pending no like violation and the license to sell alcohol shall be suspended for thirty (30) days for each count to be served concurrently commencing August 1, 2015 with re-grant on August 31, 2015.  
**COMMISSION ACKNOWLEDGED.**
- b. Professor Sports Pub, 290 Derry Road, Hudson, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1466403 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 intoxicated or who a reasonable and prudent person would know is intoxicated – 2 counts.  
Date of violations: March 21 - 22, 2015.  
Case #: 15-101-OF.  
An administrative fine of \$1,500 with \$500 suspended for twelve (12) months pending no like violation, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for five (5) days with two (2) days held in abeyance for twelve (12) months pending no like violation commencing August 1, 2015 with re-grant on August 4, 2015 & Mary Hardway or James Udice shall attend a Management Training Seminar (MTS) by August 15, 2015.  
**COMMISSION ACKNOWLEDGED.**

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

Pat & Tony's General Store, 13 Main Street, Lyme, NH.  
Caterer-Off-Site License #1274434 licensed pursuant to RSA 178:22, V(e).  
Cited for violation of RSA 178:19/Liq. 704.01(b)(6) – failed to renew liquor license thirty (30) days prior to expiration.  
Date of violation: June 25, 2015.  
Case #: 15-269-OF  
\$100 administrative fine paid.  
**COMMISSION ACKNOWLEDGED.**

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

- a. Cumberland Farms, Inc. DBA Cumberland Farms #5419,  
336-338 Washington Street, Claremont, NH 03743.  
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3329347  
pursuant to RSA 178:18 & RSA 178:19-a.  
**COMMISSION APPROVED.**
- b. Historical Society of Cheshire County, Wyman Tavern Museum, 339 Main Street, Keene, NH 03431.  
To be issued a Beer Festival License pursuant to RSA 178:30.  
**COMMISSION APPROVED.**
- c. Jim's Wheelhouse LLC, 3431 Province Lake Road, East Wakefield, NH 03830.  
To be issued Restaurant On-Premise Beverage Wine License #1512503 pursuant to RSA 178:20.  
30 Day Temporary License issued: 7/22/2015.  
**COMMISSION APPROVED.**
- d. Maxi Drug North, Inc. DBA Rite Aid #10295, 5 Mill Road, Unit G, Durham, NH 03824.  
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3330247  
pursuant to RSA 178:18 & RSA 178:19-a.  
30 Day Temporary License issued: 7/23/2015.  
**COMMISSION APPROVED.**
- e. NES Joint Venture, Inc. DBA P & T Northend Station Restaurante,  
2 Main Street, Somersworth, NH 03878.  
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1513003  
pursuant to RSA 178:21.  
30 Day Temporary License issued: 7/22/2015.  
**COMMISSION APPROVED.**
- f. Ralphies Café Italiano LLC, 91 South Broadway, Salem, NH 03079.  
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1504003  
pursuant to RSA 178:21.  
**COMMISSION APPROVED.**
- g. Shayona-1 LLC DBA Litchfield Food Mart,  
469 Charles Bancroft Highway, Suite 2, Litchfield, NH 03052.  
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3324047  
pursuant to RSA 178:18 & RSA 178:19-a.  
30 Day Temporary License issued: 7/24/2015.  
**COMMISSION APPROVED.**
- h. Taco Room LLC (The), 23 Ocean Boulevard, Hampton, NH 03842.  
To be issued Restaurant On-Premise Beverage Wine License #1513403  
pursuant to RSA 178:20.  
30 Day Temporary License issued: 7/21/2015.  
**COMMISSION APPROVED.**

**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 JULY 24, 2015: 1,142**

- a. Margerum Wine Company, Inc. DBA Universal Wine Alliance, 59 Industrial Way, Buellton, CA 93427.  
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.  
**COMMISSION APPROVED.**
- b. Schilling Cider LLC, 4402 D Street, Suite 101, Auburn, WA 98001.  
To be issued Beverage Vendor License #74731 pursuant to RSA 178:15.  
Manufacturer: Schilling Cider, Auburn, WA.  
**COMMISSION APPROVED.**

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. Club National, Inc., 127 Pine Street, Nashua, NH 03060.  
Social Club On-Premise Cocktail Lounge License #12601 licensed pursuant to RSA 178:22, V(h).  
Requested approval to transfer license to other location, to wit, to transfer the license to Hudson Fish & Game, 53 Pine Road, Hudson, NH from 10:30 am to 5:00 pm on August 2, 2015 pursuant to RSA 178:25.  
**COMMISSION ACKNOWLEDGED.**
- b. Kizzco, Inc. DBA Siam Orchid, 12 North Main Street, Concord, NH 03301.  
Restaurant On-Premise Beverage/Wine/Liquor License #1023103 licensed pursuant to RSA 178:21.  
Date petition received: 7/17/2015.  
Requested approval for authorization of other area, to wit, an outside sidewalk area with a capacity of 18 pursuant to RSA 178:24 and Liq. 404.05.  
**COMMISSION ACKNOWLEDGED.**
- c. Stockwell Restaurants LLC, 74 Newport Road, New London, NH 03257.  
Restaurant On-Premise Cocktail Lounge License #1481003 licensed pursuant to RSA 178:21.  
Date petition received: 7/10/2015.  
Requested approval for authorization of other area, to wit, an outside deck area with a capacity of 16 pursuant to RSA 178:24 and Liq. 404.05.  
**COMMISSION ACKNOWLEDGED.**
- d. Taco Room LLC (The), 23 Ocean Boulevard, Hampton, NH 03842.  
Restaurant On-Premise Beverage and Wine License #1513403 licensed pursuant to RSA 178:20.  
Date petition received: 7/20/2015.  
Requested approval for authorization of other area, to wit, an outside patio and sidewalk area with a total capacity of 22 pursuant to RSA 178:24 and Liq. 404.05.  
**COMMISSION ACKNOWLEDGED.**

10. **NOTIFICATION OF APPROVED FELON EXCEPTIONS:**

None

11. **NOTIFICATION OF DENIED FELON EXCEPTIONS:**

- a. Zaboo Restaurant, 24 Depot Street, Manchester, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1494103 licensed pursuant to RSA 178:21.  
Requested approval for a Felon Exception for Nazar Lopushansky as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).  
Case #: 15-194-OF.  
Denied for failure to lead an exemplary life since Mr. Lopushanky's felony conviction pursuant to RSA 179:23, V.  
**COMMISSION ACKNOWLEDGED.**
- b. Stateline Mini Mart, 3 Market Street, Somersworth, NH.  
Combination Off-Premises Beverage/Wine/Tobacco #3260747 licensed pursuant to RSA 178:18/RSA 126-K: 4.  
Requested approval for a Felon Exception for Shawn Willey as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).  
Case #: 15-215-OF.  
Denied for numerous convictions and false swearing pursuant to RSA 641:2.  
**COMMISSION ACKNOWLEDGED.**

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

Hampton, NH.

**13. NOTIFICATION OF COMPLIANCE CHECKS:**

**Tobacco – Locations in Grafton County:**

- a. Colonial Deli Mart, 96 Hanover Street, Lebanon, NH.  
Combination Off-Premises Beverage/Wine/Tobacco #726047 licensed pursuant to RSA 178:18/RSA 126-K: 4.  
Cited for violation of RSA 126-K: 4 – sold tobacco to an underage person during a compliance check.  
Date of violation: July 15, 2015.  
Case #: 15-279-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.**
- b. Georges AG Super Value, 66 Main Street, Enfield, NH.  
Combination Off-Premises Beverage/Wine/Tobacco #3048947 licensed pursuant to RSA 178:18/RSA 126-K: 4.  
Cited for violation of RSA 126-K: 4 – sold tobacco to an underage person during a compliance check.  
Date of violation: July 15, 2015.  
Case #: 15-279-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.**
- c. Lebanon Village Marketplace, 2 Mascoma Street, Lebanon, NH.  
Combination Off-Premises Beverage/Wine/Tobacco #3160047 licensed pursuant to RSA 178:18/RSA 126-K: 4.  
Cited for violation of RSA 126-K: 4 – sold tobacco to an underage person during a compliance check.  
Date of violation: July 15, 2015.  
Case #: 15-279-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.**
- d. Stinson's Village Store, 2 Allen Street, Hanover, NH.  
Combination Off-Premises Beverage/Wine/Tobacco #700747 licensed pursuant to RSA 178:18/RSA 126-K: 4.  
Cited for violation of RSA 126-K: 4 – sold tobacco to an underage person during a compliance check.  
Date of violation: July 15, 2015.  
Case #: 15-279-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.**

**Tobacco – Salem, NH:**

Cityline Market, 40 Cross Street, Salem, NH.  
Combination Off-Premises Beverage/Wine/Tobacco #3317047 licensed pursuant to RSA 178:18/RSA 126-K: 4.  
Cited for violation of RSA 126-K: 4 – sold tobacco to an underage person during a compliance check.  
Date of violation: July 18, 2015.  
Case #: 15-285-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:**

Summary of Study Results - A Longitudinal Study of College Freshmen and Their Beliefs and Attitudes Toward Alcohol Consumption.

**ACCEPTED BY THE COMMISSION.**

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

- a. Berlin Main Street Program, Main Street Downtown, Map 119, Lots 1 and 2, Berlin, NH 03570.  
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).  
Event date: 7/31/2015.  
Recommendation: Expedited approval.  
Commission approved on 7/22/2015.  
**COMMISSION ACKNOWLEDGED.**
- b. Mark Anthony Brands, Inc. DBA Mike's Hard Lemonade Co.,  
328 Jefferson Street, Chicago, IL 60661.  
Beverage Vendor License #29131 licensed pursuant to RSA 178:15.  
Requested approval of Mike's Harder Black Cherry Lemonade, Mike's Strawberry Lemonade, Mike's Harder Margarita, Mike's Jamaican Lemonade, Mike's Harder Strawberry Pineapple Punch, Mike's Cranberry Lemonade, Mike's Harder Lemonade and Mike's Harder Cherry Lime Smash Punch with an alcohol content of 8% at 60 degrees Fahrenheit by volume pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.  
Recommendation: Expedited approval.  
Commission approved:  
**COMMISSION ACKNOWLEDGED.**
- c. Sandwich Children's Center, Sandwich Fairgrounds Downtown, Center Sandwich, NH 03227.  
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).  
Event date: 7/31/2015.  
Recommendation: Expedited approval.  
Commission approved on 7/22/2015.  
**COMMISSION ACKNOWLEDGED.**