

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, SEPTEMBER 24, 2015

1. HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREETS, CONCORD, NH:

October 15, 2015 @ 1:30 p.m.:

- a. Loyal Order Of Moose 443, 45 Chestnut Street, Dover, NH.
Social Club License #14701 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22, V(h)(1) – failed to file a club financial report by the 15th of the following month – 2 counts.
Dates of violations: August 10, 2015 & September 11, 2015.
Case #: 15-317-OF & 15-356-OF.

October 15, 2015 @ 1:30 p.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.
TO BE RESCHEDULED AT THE REQUEST OF THE CHIEF HEARINGS OFFICER.

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

- c. 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.

November 19, 2015 @ 10:30 a.m.:

- d. UPS, 55 Glen Lake Parkway, Atlanta, GA.
Carrier-Beverage/Wine/Liquor License #748116 licensed pursuant to RSA 178:14.
Cited for violation of RSA 179:5, I/Liq. 1104.06 – shipped and delivered alcohol for a company on the unauthorized shippers list – 2 counts.
Cited for violation of RSA 179:5, I – failed to obtain an adult signature when delivering an alcohol product.
Dates of violations: April 29, 2015, June 29, 2015 & July 21, 2015.
Case #: 15-173-OF, 15-259-OF & 14-288-OF.

November 19, 2015 @ 1:00 p.m.:

- e. Tower Hill Tavern, 264 Lakeside Avenue, Laconia, NH.
Restaurant Full Service With Lounge License #1369903 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.
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Date of violations: June 28, 2015.
Case #: 15-266-OF.

November 19, 2015 @ 2:00 p.m.:

- f. American Legion Post 31, 11 Charles Street, Penacook, NH.
Veterans Club License #18039 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 intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: May 9, 2015.
Case #: 15-181-OF.

December 17, 2015 @ 9:30 a.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.

Date to be determined:

- 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.

2. NOTIFICATION OF DISCIPLINARY ACTION:

Alburritos Mexican Restaurant, 406 Union Street, Littleton, NH.
Restaurant Full Service With Lounge License #1398503 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of Liq. 603.06 – failed to comply with requirements of a Commission order.
Date of violation: August 20, 2015.
Case #: 15-336-OF.

MOTION TO CONTINUE FILED BY LICENSEE; ALLOWED ON SEPTEMBER 3, 2015.
SETTLEMENT IS PENDING.

An administrative fine of \$2,000 suspended for twelve (12) months pending no like violation and the license to sell alcohol shall be suspended for thirty (30) days held in abeyance for twelve (12) months pending no like violation.

COMMISSION ACKNOWLEDGED.

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

- a. Top Of The Town, 66 Ladd Hill Road, Belmont, NH.
Restaurant Full Service With Lounge License #322403 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.
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 3, 2015.
Case #: 15-329-OF.
\$350 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. Wang's Garden Chinese Restaurant, 161 Main Street, Berlin, NH.
Restaurant Full Service With Lounge License #1278703 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: July 13, 2015.
Case #: 15-275-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Attitash Mountain Resort, Bear Peak Base Lodge, 775 US Route 302, Bartlett, NH 03812.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event dates: 10/10/2015 & 10/11/2015.
COMMISSION APPROVED.
- b. Hannaford Bros. Co. LLC DBA Hannaford Supermarket 8440,
7 Mill Road, Durham, NH 03824.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3334247
pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 9/16/2015.
COMMISSION APPROVED.
- c. Mahosuc Inn LLC, 877 Milan Road, Milan, NH 03588.
To be issued Caterer-Off-Site License #1285934 pursuant to RSA 178:22, V(e).
COMMISSION APPROVED.
- d. Tuckerman Brewing Co. LLC, 66 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 10/18/2015.
COMMISSION APPROVED.
- e. Tuckerman Brewing Co. LLC, 66 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 11/22/2015.
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 SEPTEMBER 18, 2015: 1,148

- a. Clardy, Jenny, 6 Oliver Drive, Hudson, NH 03051.
To be issued Alcohol Consultant #504744 pursuant to RSA 178:27-a.
COMMISSION APPROVED.
- b. 4 Winds Winery LLC DBA 4 Winds, 5870 Silverado Trail, Napa, CA 94558.
Direct Shipper Permit Importer, Wholesaler or Retailer pursuant to RSA 178:27.
COMMISSION APPROVED.
- c. Jarvis, Timothy T. DBA Black Bear Vineyard, 289 New Road, Salisbury, NH 03268.
To be issued Wine Manufacturer License #566230 pursuant to RSA 178:8.
COMMISSION APPROVED.
- d. Loveless, Brittany, 93 Wellington Hill Road, Manchester, NH 03104.
To be issued Alcohol Consultant #504844 pursuant to RSA 178:27-a.
COMMISSION APPROVED.
- e. Third Colony Brewery & Winery LLC, 726 East Industrial Park Drive, Unit 2, Manchester, NH 03109.
To be issued Nano Brewery Beer and/or Specialty Beer License #202922 pursuant to RSA 178:12-a.
COMMISSION APPROVED.
- f. Weston Wineries LLC, 201 Broadway Street, Sheridan, WY 82801.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
COMMISSION APPROVED.

7. SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. NOTIFICATION OF APPROVED PETITIONS:

- a. Bald Peak Colony Club, Inc., 180 Bald Peak Drive, Moultonborough, NH 03254.
Sports Recreation License #13605 licensed pursuant to RSA 178:22, V(v).
Date petition received: 9/11/2015.
Requested approval to charge a corkage fee, to wit, to charge a fee when serving a bottle of wine brought in by customers, to be stored separately from licensed alcohol and served when requested and when a full course meal is consumed pursuant to RSA 178:21, II a (5).
COMMISSION ACKNOWLEDGED.
- b. Brau, Inc. DBA Schilling Beer Company, 18 Mill Street, Littleton, NH 03561.
Brew Pub On-Premise Cocktail Lounge License #2001915 licensed pursuant to RSA 178:13.
Date petition received: 9/1/2015.
Requested approval for authorization of other area, to wit, an outside area approval contingent upon receipt of a permit of assembly from the local fire department for event date September 26, 2015 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Club Manchvegas, Inc. 50 Old Granite Street, Manchester, NH 03101.
Restaurant On-Premise Cocktail Lounge License #1419703 licensed pursuant to RSA 178:22.
Date petition received: 9/11/2015.
Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 274 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

9. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

10. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

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

None

12. NOTIFICATION OF COMPLIANCE CHECKS:

Alcohol – Hampton, NH:

- a. Beverages Unlimited, 67 Ocean Boulevard, Hampton, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3092647 licensed pursuant to RSA 178:18/RSA 126-K: 4.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 30, 2015.
Case #: 15-298-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.
COMMISSION ACKNOWLEDGED.
- b. Dianne's Patriot Corner Grocery, 29 Ocean Boulevard, Hampton, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3299547 licensed pursuant to RSA 178:18/RSA 126-K: 4.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 30, 2015.
Case #: 15-298-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.
COMMISSION ACKNOWLEDGED.
- c. Fores Restaurant, 822 Lafayette Road, Hampton, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1444903 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 30, 2015.
Case #: 15-298-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.
COMMISSION ACKNOWLEDGED.
- d. Goat Bar & Grill, 20 L Street, Hampton, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1490303 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 30, 2015.
Case #: 15-298-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.
COMMISSION ACKNOWLEDGED.
- e. Joes NY Pizza & Brew, 888 Lafayette Road, Hampton, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1089303 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 30, 2015.
Case #: 15-298-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a

- manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.
COMMISSION ACKNOWLEDGED.
- f. Logan's Run, 816 Lafayette Road, Hampton, NH.
Restaurant On-Premise Cocktail Lounge License #1470203 licensed pursuant to RSA 178:22.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 30, 2015.
Case #: 15-298-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.
COMMISSION ACKNOWLEDGED.
- g. Ocean Wok, 7 Ocean Boulevard, Hampton, NH.
Restaurant On-Premise Cocktail Lounge License #1016003 licensed pursuant to RSA 178:22.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 30, 2015.
Case #: 15-298-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.
COMMISSION ACKNOWLEDGED.
- h. Rage's Rexall, 131 Ocean Boulevard, Hampton, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3194947 licensed pursuant to RSA 178:18/RSA 126-K: 4.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 30, 2015.
Case #: 15-298-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.
COMMISSION ACKNOWLEDGED.
- i. Studio Market, 142 Ashworth Avenue, Hampton, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3316947 licensed pursuant to RSA 178:18/RSA 126-K: 4.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 30, 2015.
Case #: 15-298-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.
COMMISSION ACKNOWLEDGED.
- j. Surfside Market, 169 Ocean Boulevard, Hampton, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3209147 licensed pursuant to RSA 178:18/RSA 126-K: 4.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 30, 2015.
Case #: 15-298-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.
COMMISSION ACKNOWLEDGED.
- k. World's Greatest Karaoke Bar, 9A Ocean Boulevard, Hampton, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1467203 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 30, 2015.
Case #: 15-298-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a

manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.

COMMISSION ACKNOWLEDGED.

- I. Xtra Mart, 685 Lafayette Road, Hampton, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3132747 licensed pursuant to RSA 178:18/RSA 126-K: 4.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 30, 2015.
Case #: 15-298-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety days of the date of the violation.
COMMISSION ACKNOWLEDGED.

Tobacco – Belknap County:

- a. Bear's Bizzy Corner, 404 Main Street, Alton, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3324647 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: September 12, 2015.
Case #: 15-358-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. Hannaford Supermarket, 38 Route 25, Unit 5, Meredith, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3229447 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: September 12, 2015.
Case #: 15-358-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.

13. COMMISSION DECISIONS PENDING AFTER HEARING:

Jade Palace, 28 Portsmouth Avenue, Stratham, 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 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: October 13, 2014 & December 28, 2014.
Case #s: 14-400-OF & 15-7-OF.
HEARING WAS HELD SEPTEMBER 17, 2015.

14. NOTIFICATION OF HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

Hospitality Resources, Inc. DBA Bedford Village Inn & Rest.,
2 Olde Bedford Way, Bedford, NH 03110.
Licensed pursuant to RSA 178:22, V(k).

Requests exception to RSA 178:27, III, to wit, for authorization to purchase wine from a Direct Shipper, Turley Wine Cellars, Inc., 3358 St. Helena Highway, St. Helena, CA 94574, Permit #8003233, pursuant to RSA 178:32, III.

COMMISSION APPROVED.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Believe in Books Literacy Foundation, 41 Observatory Way, Intervale, NH 03845.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 9/26/2015.
Recommendation: Expedited approval.
Commission approved on 9/17/2015.
COMMISSION ACKNOWLEDGED.
- b. Cheshire Children's Museum,
Marriott Courtyard Monadnock Room, 75 Railroad Street, Keene, NH 03431.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 9/17/2015.
Recommendation: Expedited approval.
Commission approved on 9/16/2015.
COMMISSION ACKNOWLEDGED.
- c. Sandwich Community School, Inc. 1164 Bunker Hill Road, South Tamworth, NH 03883.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 9/19/2015.
Recommendation: Expedited approval.
Commission approved on 9/15/2015.
COMMISSION ACKNOWLEDGED.
- d. Star Island Corporation DBA Isles of Shoals,
Front Porch/Dining Room, Ocean Hotel, Rye, NH 03870.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 9/26/2015.
Recommendation: Expedited approval.
Commission approved on 9/16/2015.
COMMISSION ACKNOWLEDGED.
- e. Tuckerman Brewing Co. LLC, 66 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 9/20/2015.
Recommendation: Expedited approval.
Commission approved on 9/16/2015.
COMMISSION ACKNOWLEDGED.