

AGENDA FOR THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 8, 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 #s: 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 @ 8:30 a.m.:

- c. 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 #s: 15-114-OF & 15-184-OF.

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

- d. 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.

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

- e. 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.:

- f. 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.:

- g. 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 11, 2015 @ 9:30 a.m.:

- h. 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.

2. NOTIFICATION OF DISCIPLINARY ACTION:

- a. Berlin Main Street Program, Berlin, NH.
Special One-Day License #535741 licensed pursuant to RSA 178:22, V(l).
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: July 31, 2015.
Case #: 15-308-OF.
An administrative fine of \$1,000 and future applicants of any license shall attend a Management Training Seminar (MTS) prior to the date of the event.
- b. El Charro, 5 Lumberyard Drive, Lincoln, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1480103 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

visibly intoxicated or who a reasonable and prudent person would know is intoxicated.

Date of violation: August 21, 2015.

Case #: 15-339-OF.

For violation of RSA 179:5, I, an administrative fine of \$1,000 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 three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing October 15, 2015 with re-grant on October 17, 2015 & Fernando Lira Sanchez shall attend a Management Training Seminar (MTS) in a classroom by October 31, 2015.

- c. Meadowbrook Food Service, 72 Meadow Brook Lane, Gilford, NH.
Seasonal Caterer-On-Site License #1275226 licensed pursuant to RSA 178:22, V(e).
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person – 2 counts.
Dates of violations: June 13, 2015 & June 27, 2015.
Case #: 15-238-OF & 15-262-OF.
For case #15-238-OF, a \$1,000 administrative fine; and for case #15-262-OF, a \$500 administrative fine suspended for twelve (12) months pending no like violation and a three (3) day suspension of liquor license held in abeyance for twelve (12) months pending no like violation.

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

None

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Birch Wood Vineyards LLC, 199 Rockingham Road, Derry, NH 03038.
To be issued Caterers On-Site, On-Premise License #1277926 pursuant to RSA 178:22.
- b. Covered Bridge Farm Table LLC DBA Country Cow Restaurant,
57 Blair Road, Campton, NH 03223.
To be issued Restaurant On-Premise Cocktail Lounge License #1516703 pursuant to RSA 178:22.
30-Day Temporary License issued: 10/1/2015.
- c. Falls Grill & Tavern LLC (The), 421 Central Avenue, Dover, NH 03820.
To be issued Restaurant On-Premise Cocktail Lounge License #1514103 pursuant to RSA 178:22.
30-Day Temporary License issued: 9/30/2015.
- d. Frankie Figs LLC DBA Rico Figs, 822 Lafayette Road, Hampton, NH 03842.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1515403
pursuant to RSA 178:21.
30-Day Temporary License issued: 9/28/2015.
- e. Great Circle Catering LLC DBA Airside Café,
36 Airline Avenue, Terminal Lower Level, Portsmouth, NH 03801.
To be issued Restaurant On-Premise Beverage and Wine License #1515103.
- f. Great North Brewing LLC DBA Great North Aleworks,
Unit #14, 1050 Holt Avenue, Manchester, NH 03109.
To be issued Restaurant On-Premise Beverage and Wine License #1516503
pursuant to RSA 178:20.
30-Day Temporary License issued: 9/30/2015.
- g. Hudson Fish and Game Club, 53 Pine Road, Hudson, NH 03051.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor
License pursuant to RSA 178:22, V(l).
Event date: 10/17/2015.

- h. James W. Foley Legacy Foundation, Inc.,
Rochester Fairgrounds, 72 Lafayette Street, Rochester, NH 03867.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 10/17/2015.
- i. Natural Roots and Remedies LLC DBA Hakuna, 48 Main Street, Meredith, NH 03253.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1512603 pursuant to RSA 178:21.
30-Day Temporary License issued: 9/28/2015.
- j. Speedway LLC DBA Speedway #01956, 135 Dover Road, Chichester, NH 03258.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3336447 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 10/1/2015.
- k. Speedway LLC DBA Speedway #01965, 175 North Main Street, Concord, NH 03301.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3336547 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 10/1/2015.
- l. Speedway LLC DBA Speedway #01961, 15 Hall Street, Concord, NH 03301.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3336647 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 10/1/2015.
- m. Speedway LLC DBA Speedway #01959, 50 Birch Street, Derry, NH 03038.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3336747 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 10/1/2015.
- n. Speedway LLC DBA Speedway #01968, 639 Lafayette Road, Hampton, NH 03842.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3336847 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 10/1/2015.
- o. Speedway LLC DBA Speedway #01962, 66 Nashua Road, Londonderry, NH 03053.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3336947 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 10/1/2015.
- p. Speedway LLC DBA Speedway #01963, 802 Massabesic Street, Manchester, NH 03103.
To be issued Retail Tobacco Off-Premise Tobacco License #135817 pursuant to RSA 178:19-a.
30-Day Temporary License issued: 10/1/2015.
- q. Speedway LLC DBA Speedway #01954, 89 Bridge Street, Manchester, NH 03101.
To be issued Retail Tobacco Off-Premise Tobacco License #135917 pursuant to RSA 178:19-a.
30-Day Temporary License issued: 10/1/2015.
- r. Speedway LLC DBA Speedway #01966, 311 Queen City Avenue, Manchester, NH 03102.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3337047 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 10/1/2015.

- s. Speedway LLC DBA Speedway #01964, 79 East Hollis Street, Nashua, NH 03060.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3337147 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 10/1/2015.
- t. Speedway LLC DBA Speedway #01960, 543 Amherst Street, Nashua, NH 03060.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3337247 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 10/1/2015.
- u. Speedway LLC DBA Speedway #01958, 362 North Broadway, Salem, NH 03070.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3337347 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 10/1/2015.
- v. XRP LLC, 21 Route 12 South, Fitzwilliam, NH 03447.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1516103 pursuant to RSA 178:21.
30-Day Temporary License issued: 9/30/2015.

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 OCTOBER 2, 2015: 1,145

- a. Eurobrew, Inc., 58 Union Street, Ashland, MA 01721.
To be issued Beverage Vendor License #75731 pursuant to RSA 178:15.
Manufacturer: Carlsberg Brauerei, Germany.
- b. Knez Winery Corp., 16125 Deer Meadows Road, Boonville, CA 95415.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- c. Sarry, Kim, 23 Stratham Road, Methuen, MA 01844.
To be issued Alcohol Consultant License #504944 pursuant to RSA 178:27-a.
- d. The Girls in the Vineyard DBA Art+Farm Wine, 1370 Trancas Street, #749, Napa, CA 94558.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- e. Three Brothers Winery and Estates LLC, 623 Lerch Road, Geneva, NY 14456.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- f. VHMT DBA Victor Hill Wines, 21481 8th St. E., Sonoma, CA 95476.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.

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

None

8. NOTIFICATION OF APPROVED PETITIONS:

- a. Frankie Figs LLC DBA Rico Figs, 822 Lafayette Road, Hampton, NH 03842.
Restaurant On-Premise Beverage/Wine/Liquor License #1515403 licensed pursuant to RSA 178:21.

Date petition received: 9/28/2015.

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).

- b. Frankie Figs LLC DBA Rico Figs, 822 Lafayette Road, Hampton, NH 03842.
Restaurant On-Premise Beverage/Wine/Liquor License #1515403 licensed pursuant to RSA 178:21.
Date petition received: 9/28/2015.
Requested approval for authorization of other areas, to wit, an outside patio area with a capacity of 14 pursuant to RSA 178:24 and Liq. 404.05.
- c. Joe Kelly's Restaurant LLC DBA Theo's Restaurant & Lounge,
102 Elm Street, Manchester, NH 03101.
Restaurant On-Premise Cocktail Lounge License #1397803 licensed pursuant to RSA 178:22, V.
Date petition received: 9/30/2015.
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).
- d. Manchester Country Club, Inc., 180 South River Road, Bedford, NH 03110.
Sports Recreation License #7905 licensed pursuant to RSA 178:22, V(v).
Date petition received: 9/28/2015.
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).
- e. Naticook Fish and Grill LLC, 454 Charles Bancroft Highway, Litchfield, NH 03052.
Restaurant On-Premise Beverage/Wine/Liquor License #1485203 licensed pursuant to RSA 178:21.
Date petition received: 9/18/2015.
Requested approval for an outside area, to wit, an outside fenced and tented area with a total capacity of 213 for event dates between September 25, 2015 and November 7, 2015 pursuant to RSA 178:24 and Liq. 404.05.

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:

None

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 #: 14-400-OF & 15-7-OF.

HEARING WAS HELD SEPTEMBER 17, 2015.

OCTOBER 1, 2015, THE COMMISSION ISSUED ITS DECISION AND ORDER ON OBJECTIONS RAISED AT THE PRE-HEARING CONFERENCE AND HEARING; LICENSEE'S OBJECTION TO SGT. EMERSON'S AND SGT. CALL'S TESTIMONY IS DENIED; OBJECTION TO INVESTIGATOR MONE'S TESTIMONY IS DENIED; AND OBJECTION TO EXCLUDE POLICE AND INCIDENT REPORTS AS WELL AS A LICENSEE'S VIOLATION HISTORY AS EXHIBITS IS GRANTED.

14. NOTIFICATION OF HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

- a. Anheuser-Busch LLC, One Busch Place, St. Louis, MO 63118.
Beverage Vendor License #54131 licensed pursuant to RSA 178:15.
Requests approval of Goose Island Proprietor's Bourbon County Stout with an alcohol content of 13.4% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
Recommendation: Approval.
- b. Diageo-Guinness USA, Inc., 801 Main Avenue, Norwalk, CT 06851.
Beverage Vendor License #30031 licensed pursuant to RSA 178:15.
Requests approval of Captain Morgan Spiked Cola, Captain Morgan Spiked Root Bear and Captain Morgan Spiked Tea with an alcohol content of 8% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40.
Recommendation: Approval.
- c. Hospitality Resources, Inc. DBA Bedford Village Inn & Rest.,
2 Olde Bedford Way, Bedford, NH 03110.
Hotel On-Premise Cocktail Lounge License #349602 licensed pursuant to RSA 178:22, V(k).
Date petition received: 9/29/2015.
Requests exception to RSA 178:27, III, to wit, for authorization to purchase wine from a Direct Shipper, Screaming Eagle Partners LLC DBA Screaming Eagle Winery, 7557 Silverado Trail, Napa, CA 94558, Permit #8089633 pursuant to RSA 178:32, III.
- d. Koochenvagner's Brewing Co. DBA Stone Brewing Co.,
1999 Citracado Parkway, Escondido, CA 92029.
Beverage Vendor License #42631 licensed pursuant to RSA 178:15.
Requests approval of Stone Double Bastard in the Rye with an alcohol content of 12.59% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
Recommendation: Approval.
- e. Mark Anthony Brands, Inc. DBA Mike's Hard Lemonade Co.,
328 South Jefferson Street, Chicago, IL 60661.
Beverage Vendor License #29131 licensed pursuant to RSA 178:15.
Requests approval of Mike's Harder Mango Madness Punch with an alcohol content of 8% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
Recommendation: Approval.
- f. Mark Anthony Brands, Inc. DBA Mike's Hard Lemonade Co.,
328 South Jefferson Street, Chicago, IL 60661.
Beverage Vendor License #29131 licensed pursuant to RSA 178:15.
Requests approval of Mike's Harder Tiger's Blood with an alcohol content of 8% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
Recommendation: Approval.

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

None