# MINUTES OF THE NHLC DIVISION OF ENFORCEMENT & LICENSING MEETING FOR JANUARY 4, 2024

#### 1. ACCEPTANCE OF MINUTES:

RECOMMENDATION TO ACCEPT THE MINUTES OF THE COMMISSION MEETING HELD DECEMBER 28, 2023.

DEPUTY COMMISSIONER JORDAN ACCEPTED THE MINUTES OF DECEMBER 28, 2023.

#### 2. TABLED ITEMS:

None

#### 3. SCHEDULED HEARINGS AT LIQUOR COMMISSION OFFICES, 50 STORRS STREET, CONCORD, NH:

#### January 23, 2024 at 10:00 a.m.:

Niko Grill and Lounge Corporation DBA Slade's Food and Spirits, 4 West Hollis Street, Nashua, NH 03060. Cocktail Lounge-Full Service Restaurant License #1071603 pursuant to RSA 178:22, V(q)/ RSA 178:21, II(a)(1). Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a patron who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.

Date of violation: 01/28/2023.

Case #: 23-99-OF.

THE NEW HAMPSHIRE LIQUOR COMMISSION-DIVISION OF ENFORCEMENT AND LICENSING REQUESTED A CONTINUANCE FOR THE HEARING SCHEDULED ON DECEMBER 19, 2023, GRANTED ON DECEMBER 08, 2023.

#### 4. NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:

a. Tower Hill Tavern, 264 Lakeside Avenue, Laconia, NH 03246.

Cocktail Lounge-Full Service Restaurant License #1369903

pursuant to RSA 178:22, V(q)/ RSA 178:21, II(a)(1).

Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a patron who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated-two counts. Date of violation: 02/18/2023.

Case #: 23-219-OF.

For violation of RSA 179:5, I- 1st count- An administrative fine of \$500 and four (4) points held in abeyance for twelve (12) calendar months pending no like violation. The license to serve, consume or possess alcohol shall be suspended for three (3) days commencing 01/02/2024.

For violation of RSA 179:5, I- 2nd count- An administrative fine of \$500 and four (4) points held in abeyance for twelve (12) calendar months pending no like violation. The license to serve, consume or possess alcohol shall be suspended for three (3) days commencing 01/05/2024 and regranted on 01/08/2024.

DEPUTY COMMISSIONER BRASSARD JORDAN ACKNOWLEDGED.

#### 5. NON-CONTESTED ADMINISTRATIVE ACTION RECOMMENDED FOR COMMISSION APPROVAL:

a. Alpine Grove Events Centre LLC, 19 S Depot Road, Hollis, NH 03049.

Caterer, On-Site License #1281826 pursuant to RSA 178:22, V(e).

Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 10/19/2023

Case #: 23-1428-OF

Warning.

DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

b. Babylon Cigar & Hookah Lounge LLC, 245 Maple Street, Manchester, NH 03103.

Cigar Bar, On-Premises Beverage/Wine/Liquor/Cigar/Tobacco License #407706 pursuant to RSA 178:20-a/RSA 178:9-a.

Cited for violation of RSA 179:17 – allowed the sale or consumption of alcoholic beverage on the premises after expiration of the serving hour.

Date of violation: 12/02/2023

Case #: 23-1554-OF

Warning.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

c. Exile LLC DBA Exile Burrito, 161 Main Street, Berlin, NH 03570.

Restaurant, On-Premises, Beverage & Wine License #1617303 pursuant to RSA 178:20.

Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 06/30/2023

Case #: 23-982-OF

Warning.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

d. Greeley- Parmenter-Harrington Post 27 The American Legion Inc DBA American Legion Post 27,
 6 Sargent Road, Londonderry, NH 03053.

Veterans Club License #4339 pursuant to RSA 178:22, V(h).

Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 11/03/2023

Case #: 23-1507-OF

Warning.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

e. In the Zone Fitness LLC DBA Zone Gym (The), 142 Route 111, Hampstead, NH 03841.

Sports Recreation Facility With Cocktail Lounge License #6026605 pursuant to RSA 178:22, V(u)(1). Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 11/08/2023

Case #: 23-1508-OF

Warning.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

f. Leelanau Wine Cellars LTD, 7161 NW Bay Shore Drive, Omena, MI 49674.

Direct Shipper Permit/ Wine Manufacturer #8312633 pursuant to RSA 178:27.

Cited for violation of RSA 178:27/Liq. 1103.01 – failed to file a monthly report by the 15<sup>th</sup> of the following month.

Date of violation: 10/16/2023.

Case #: 23-1444-OF. \$250.00 administrative fine.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

g. Lemons LLC, 1 Beaver Meadow Street, Concord, NH 03303.

Sports Recreation Facility With Cocktail Lounge License #6026405 pursuant to RSA 178:22, V(u)(1). Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: 09/05/2023

Case #: 23-1272-OF

Warning.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

h. Los Chicos Malos LLC DBA Valley Pub and Restaurant,

29 Village Road, Level 1, Waterville Valley, NH 03215.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1614703 pursuant to RSA 178:21.

Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to

expiration.

Date of violation: 11/03/2023

Case #: 23-1505-OF

Warning.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

i. Millyard Brewery LLC, 25 East Otterson Street, Unit 3, Nashua, NH 03060.

Nano Brewery, Beer and/or Specialty Beer License #204122 pursuant to RSA 178:12-a.

Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to

expiration.

Date of violation: 11/02/2023

Case #: 23-1504-OF

Warning.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

j. Selby Enterprises Inc DBA Selby Winery, 498 Moore Lane, Suite A, Healdsburg, CA 95448.

Direct Shipper Permit/ Wine Manufacturer #8120633 pursuant to RSA 178:27.

Cited for violation of RSA 178:27/Liq. 1103.01 – failed to file a monthly report by the 15<sup>th</sup> of the following month.

Date of violation: 11/16/2023.

Case #: 23-1588-OF. \$250.00 administrative fine.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

k. Shoppers Manchester LLC DBA Shoppers Pub and Eatery, 18 Lake Avenue, Manchester, NH 03101.

Cocktail Lounge-Full Service Restaurant License #1580403 pursuant to

RSA 178:22, V(q)/ RSA 178:21, II(a)(1).

Cited for violation of RSA 178:3/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to

expiration.

Date of violation: 11/01/2023

Case #: 23-1503-OF

Warning.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

I. Zeus Food Service LLC DBA Bond Brewing and BBQ, 1015 Elm Street, Manchester, NH 03101.

Brew Pub License #2007315 pursuant to RSA 178:13.

Cited for violation of RSA 178:3/Liq. 704.01 - failed to renew liquor license thirty (30) days prior to

expiration.

Date of violation: 11/03/2023

Case #: 23-1506-OF

Warning.

DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

#### 6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

a. Chagollan, Yesenia DBA Ay Jalisco Mexican Restaurant, 475 High Street, Somersworth, NH 03878. To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1678503 pursuant to RSA 178:21.

90-Day Temporary License issued 12/18/2023.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

b. CJM Hospitality Group LLC DBA The Brunch Club, 40 Chestnut Street, Suite 1/2, Dover, NH 03820. To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1682603 pursuant to RSA 178:21.

90-Day Temporary License issued 12/28/2023.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

Daks Snacks LLC DBA Vibes Gourmet Burgers, 25 South Main Street, Concord, NH 03301.
 To be issued Restaurant, On-Premises, Beverage & Wine License #1684303 pursuant to RSA 178:20.
 30-Day Temporary License issued 12/28/2023.

DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

- d. Friel Golf Management Co Inc DBA World Cup Golf Center, 4 Friel Golf Road, Hudson, NH 03051. To be issued Restaurant, On-Premises, Beverage & Wine License #1677903 pursuant to RSA 178:20. 30-Day Temporary License issued 12/27/2023.
  - DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.
- e. Friendship Restaurants LLC DBA Molly's Restaurant, 43 South Main Street, Hanover, NH 03755. To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1668203 pursuant to RSA 178:21.

  90-Day Temporary License issued 01/02/2024.
  - DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.
- f. Lone Wolfe Brewing Company Inc (The), 82 Haines Hill Road, Wolfeboro, NH 03894. To be issued Beverage Manufacturer License #300118 pursuant to RSA 178:12. 30-Day Temporary License issued 01/02/2024.
  - DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.
- g. Mill City Park at Franklin Falls at 316 Central Street, Franklin, NH 03235.

  To be issued Special One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor
  License # 685341 for 01/01/2024 between 10:00 a.m. 2:00 p.m. pursuant to RSA 178:22, V(I).

  DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.
- h. New Belgium Brewing Co Inc DBA Bell's Brewery, 8938 Krum Avenue, Comstock, MI 49041. To be issued Beverage Vendor License #125431 pursuant to RSA 178:15.

  Manufacturer: New Belgium Brewing
  30-Day Temporary License issued 01/02/2024.
  - DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.
- i. Pittsburg Trading Post LLC DBA Fat Belly Diner, 1624 Main Street, Pittsburg, NH 03592.
   To be issued Restaurant, On-Premises, Beverage & Wine License #1681303 pursuant to RSA 178:20.
   30-Day Temporary License issued 12/27/2023.
  - DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.
- j. Pittsburg Trading Post LLC DBA Fat Belly Diner, 1624 Main Street, Pittsburg, NH 03592.
   To be issued Conditional Combination License #3296247/Restaurant, On-Premises, Beverage & Wine License #1681303 pursuant to RSA 178:17-a/RSA 178:20.
  - DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.
- k. Vietnamese Community of New Hampshire at St George's Church, 650 Hanover Street, Manchester, NH 03103.
   To be issued Special One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License # 685441 for 02/10/2024 between 6:00 p.m. – 11:59 p.m. pursuant to RSA 178:22, V(I).
   DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.
- 7. <u>LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:</u>

None

8. <u>DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:</u>

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING DECEMBER 29, 2023: 1,362.

None

9. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

#### 10. NOTIFICATION OF APPROVED PETITIONS:

- a. CJM Hospitality Group LLC DBA The Brunch Club, 40 Chestnut Street, Suite1/2, Dover, NH 03820. Restaurant, On-Premises, Beverage/Wine/Liquor License #1682603 pursuant to RSA 178:21. Requested a waiver for authorization of reduction of hours, to wit, to reduce the hours of operation to exclude the dinner hour pursuant to RSA 178:21, II, a (2) and as indicated in an email dated 11/13/2023. **DEPUTY COMMISSIONER BRASSARD JORDAN ACKNOWLEDGED.**
- KS Kitchen 1105 Elm Street, Manchester, NH 03101.
   Restaurant, On-Premises, Beverage/Wine/Liquor License #1676403 pursuant to RSA 178:21.
   Requested approval for a temporary extension of service, to wit, at 650 Hanover Street, Manchester, NH 03101 for an event on 12/30/2023 pursuant to RSA 178:24/Liq. 404.05.
   DEPUTY COMMISSIONER BRASSARD JORDAN ACKNOWLEDGED.
- c. PRRM Management LLC DBA Jewell Nightclub, 61 Canal Street, Manchester, NH 03101.
  Ballroom License #1152911 pursuant to RSA 178:22, V(c).
  Requested a waiver of RSA 178:21, II, a (2) for authorization of extension of hours, to wit, to extend the hours of operation on December 31, 2023, to 2:00 a.m. as stated in a memo dated December 27, 2023.

  DEPUTY COMMISSIONER BRASSARD JORDAN ACKNOWLEDGED.
- d. Tandy Stephens Inc DBA Tandy's Top Shelf, 1 Eagle Square, Concord, NH 03301. Restaurant, On-Premises, Beverage/Wine/Liquor License #1404103 pursuant to RSA 178:21. Requested approval for a temporary extension of service, to wit, for an inside area (adjacent atrium space) with a capacity of 206 for 12/31/2023 pursuant to RSA 178:24/Liq. 404.05.
  DEPUTY COMMISSIONER BRASSARD JORDAN ACKNOWLEDGED.
- e. Victoria Inn Inc, 430 High Street, Hampton, NH 03842
  Caterer, Off-Site License #1305034 pursuant to RSA 178:22, V(e).
  Requested approval for a permanent site, to wit, for an event for 12/29/2023 between 3:00 p.m. and 7:00 p.m. pursuant to RSA 178:22, V (e).

  DEPUTY COMMISSIONER BRASSARD JORDAN ACKNOWLEDGED.

#### 11. PETITIONS RECOMMENDED FOR COMMISSION DENIAL:

None

#### 12. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION APPROVAL:

None

#### 13. MISCELLANEOUS ITEMS RECOMMENDED FOR COMMISSION DENIAL:

None

#### 14. NOTIFICATION OF ALCOHOL COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:

None

# 15. ADMINISTRATIVE ACTION ON ALCOHOL COMPLIANCE CHECKS RECOMMENDED FOR COMMISSION APPROVAL:

None

#### 16. NOTIFICATION OF TOBACCO COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:

- a. Center Sandwich, NH
- b. East Wakefield, NH;
- c. Farmington, NH;
- d. Franconia NH:
- e. Franklin, NH;

- f. Hampton, NH:
- g. Hanover, NH;
- h. Hebron, NH;
- i. Hinsdale, NH:
- j. Holderness, NH;
- k. Keene, NH;
- I. Lee, NH;
- m. Lyme, NH;
- n. Milton, NH;
- o. Monroe. NH:
- p. New Durham, NH:
- q. North Haverhill, NH;
- r. North Woodstock, NH;
- s. Orford, NH;
- t. Piermont, NH;
- u. Plaistow, NH;
- v. Rochester, NH; and
- w. West Lebanon, NH;

DEPUTY COMMISSIONER BRASSARD JORDAN ACKNOWLEDGED.

## 17. <u>ADMINISTRATIVE ACTION ON TOBACCO COMPLIANCE CHECKS RECOMMENDED FOR</u> COMMISSION APPROVAL:

a. Family Dollar Inc, 543 Main Street, Walpole, NH 03608.

Retail Tobacco License #123517 pursuant to RSA 178:19-a.

Cited for violation of RSA 126-K:4, I – sold tobacco products to an underage person during a compliance check.

Date of violation: 11/24/2023.

Case #: 23-1545-OF.

Warning and mandatory completion of a Retail Tobacco Management Training Seminar (RTMTS) by a manager within thirty (30) days from the date of the violation.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

b. Family Dollar Inc DBA Family Dollar Store 1881, 48 Allenstown Road, Allenstown, NH 03275.

Retail Tobacco License #120617 pursuant to RSA 178:19-a.

Cited for violation of RSA 126-K:4, I – sold tobacco products to an underage person during a compliance check.

Date of violation: 11/27/2023.

Case #: 23-1526-OF.

Warning and mandatory completion of a Retail Tobacco Management Training Seminar (RTMTS) by a manager within thirty (30) days from the date of the violation.

#### DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

c. Shaw's Supermarkets Inc. 7 Continental Boulevard, Merrimack, NH 03054.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3176847 pursuant to RSA 178:18/RSA 178:19-a.

RSA 178:18/RSA 178:19-8

Cited for violation of RSA 126-K:4, I – sold tobacco products to an underage person during a compliance check.

Date of violation: 12/05/2023.

Case #: 23-1581-OF.

Warning and mandatory completion of a Retail Tobacco Management Training Seminar (RTMTS) by a manager within thirty (30) days from the date of the violation.

DEPUTY COMMISSIONER BRASSARD JORDAN APPROVED.

#### 18. <u>ADMINISTRATIVE HEARING DECISION PENDING</u>:

None

### 19. <u>ADMINISTRATIVE HEARING DECISIONS</u>:

None

### 20. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

None