AGENDA OF THE NHLC DIVISION OF ENFORCEMENT & LICENSING MEETING FOR FEBRUARY 01, 2024

1. ACCEPTANCE OF MINUTES:

RECOMMENDATION TO ACCEPT THE MINUTES OF THE COMMISSION MEETING HELD JANUARY 25, 2024.

2. TABLED ITEMS:

None

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

March 19, 2024 at 10:00 a.m.:

a. Soho, 20 Old Granite Street, Manchester, NH 03101.

Cocktail Lounge-Full Service Restaurant License #1646003 pursuant to

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

Cited for violation of RSA 179:5, II – allowed an under-aged individual to possess or consume alcoholic beverage.

Cited for violation of RSA 179:8, I – failed to require the purchaser whose age was in question to furnish identification that such person was 21 years of age.

Date of violation: 11/03/2023.

Case #: 23-1472-OF.

THE LICENSEE REQUESTED A CONTINUANCE FOR THE HEARING SCHEDULED ON JANUARY 23, 2024, GRANTED ON JANUARY 17, 2024.

4. NOTIFICATION OF ADMINISTRATIVE ACTION PER SETTLEMENT AGREEMENT:

 a. Global Montello Group Corp DBA Alltown Market, 1050 South Willow Street, Manchester, NH 03103.
 Combination, Off-Premises, Beverage/Wine/Tobacco License #3357447 pursuant to RSA 178:18/RSA 178:19-a.

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: 07/28/2023

Case #: 23-1127-OF.

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 02/21/2024 and re-granted on 02/24/2024.

b. Barcode Lounge and Grill, 1055 Elm Street, Manchester, NH 03104.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1686203 pursuant to RSA 178:21.

Cited for violation of RSA 179:57Liq. 603.05 – failed to comply with the requirements of a Commission Order.

Date of violation: 01/13/2024

Case #: 24-47-OF.

An administrative fine of \$2,000 suspended for twelve (12) months pending no like violation, which includes any violation of the Special Terms and Conditions for Licensure signed on December 21, 2023 and of the Licensee's Business Plan, which was also included as a condition of licensure.

The Violation of a Commissioner Order shall be included in the violation history and shall be considered for any future temporary/permanent liquor license that may be issued and shall be considered for any future decisions about the license such as hours of sales, DJs, promotions, etcetera, as is referenced in the Special Terms and Conditions for licensure signed on December 21, 2023 and the Licensee's Business Plan, which was also included as a condition of licensure.

c. Leelanau Cellars, 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 15th of the following month.

Date of violation: 11/16/2023.

Case #: 23-1577-OF.

An administrative fine of \$250 and the licensee shall remain in compliance with all statutes and administrative rules pertaining to the filing of reports by the 15th of the following month pursuant to RSA 178:27/Liq. 1103.01

d. Yamas Greek Eatery, 61 Main Street, Plymouth, NH 03264.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1645203 pursuant to RSA 178:21. 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: 09/12/2023

Case #: 23-1271-OF.

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 held in abeyance for twelve (12) months pending no like violation.

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

a. Area 23 LLC. 254 North State Street, Concord, NH 03301.

Restaurant, On-Premises, Beverage/Wine/Liquor License #1509603 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: 11/17/2023.

Case #: 23-1615-OF. \$100.00 administrative fine.

b. Bretton Wooda Market & Deli Inc. 2267 Route 302 East. Bretton Woods, NH 03575.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3339147 pursuant to

RSA 178:18/RSA 178:19-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: 12/06/2023.

Case #: 23-1614-OF.

Warning.

c. Brothers Butcher LLC, 8 Spit Brook Road, Nashua, NH 03060.

Combination License #3214547 pursuant to RSA 178:18.

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

Date of violation: 12/05/2023.

Case #: 23-1613-OF.

Warning.

d. Cheshire Fair Association Inc, 247 Monadnock Highway, Swanzey, NH 03446.

State Fair License 531323 pursuant to RSA 178:20 (B/W)

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

Date of violation: 11/20/2023.

Case #: 23-1608-OF.

Warning.

e. Granite State Hospitality LLC DBA Common Man Welcome Center SB, 25 Springer Road, Hooksett, NH 03106.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3321647 pursuant to RSA 178:18/RSA 178:19-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: 12/04/2023.

Case #: 23-1612-OF.

Warning.

f. Granite State Hospitality LLC DBA Common Man Welcome Center, 530 West River Road, Hooksett, NH 03106.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3318447 pursuant to RSA 178:18/RSA 178:19-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: 12/04/2023.

Case #: 23-1611-OF.

Warning.

g. Treasury Wine Estates Americas Company, 555 Gateway Drive, Napa, CA 94558.

Liquor & Wine Vendor License #504545 pursuant to RSA 178:9.

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

Date of violation: 07/10/2023.

Case #: 23-987-OF.

Warning.

h. Twins Smoke Shop Inc, 9 West Alice Drive, Hooksett, NH 03106.

Retail Tobacco License #808917 pursuant to RSA 178:19-a.

Cited for violation of RSA 179:50 – allowed the premises to be used for a purpose contrary to law – allowed tobacco products to be smoked inside the licensed premise.

Date of violation: 11/21/2023.

Case #: 23-1561-OF.

Warning.

Visit Tuscany LLC DBA Gusto Italian Café, 23 Main Street, Suite 1B, Center Harbor, NH 03226.
 Restaurant, On-Premises, Beverage & Wine License #1595403 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: 11/27/2023.

Case #: 23-1610-OF.

Warning.

j. Visit Tuscany LLC DBA Gusto Italian Café, 23 Main Street, Suite 1B, Center Harbor, NH 03226. Combination License #3404747 pursuant to RSA 178:18.

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

Date of violation: 11/27/2023.

Case #: 23-1609-OF.

Warning.

6. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

a. 1896 White Mountain LLC DBA Super Smoke Shop & Mart III,
 1896 White Mountain Highway, North Conway 03860.
 To be issued Combination, Off-Premises, Beverage/Wine/Tobacco License #3431047 pursuant to RSA 178:18/RSA 178:19-a.
 30-Day Temporary License issued 01/25/2024.

b. Baldwin Senior Living (The), 50 Woodmont Avenue, Londonderry, NH 03053.
 To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1680603 pursuant to RSA 178:21.
 90-Day Temporary License issued 01/25/2024.

Bensons Café LLC, 160 Main Street, Unit E, Kingston, NH 03848.
 To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1684603 pursuant to RSA 178:21.
 90-Day Temporary License issued 01/26/2024.

d. Blooms and Brews LLC, 6 Fieldstone Drive, Deerfield, NH 03037. To be issued Combination License #3434747 pursuant to RSA 178:18. 30-Day Temporary License issued 01/26/2024.

e. Capital City Sports and Fitness, 10 Garvin Falls Road, Concord, NH 03301.

To be issued Restaurant, On-Premises, Beverage & Wine License #1688603 pursuant to RSA 178:20.

30-Day Temporary License issued 01/29/2024.

f. Guerrilla Grill LLC, 176 Main Street, Keene, NH 03431.
 To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1676303 pursuant to RSA 178:21.
 90-Day Temporary License issued 01/29/2024.

 g. Limes Ventures Inc, 1021 Detroit Avenue, Concord, CA 94518.
 To be issued Beverage Vendor License #133231 pursuant to RSA 178:15.
 Manufacturer: Brasserie Gode 30-Day Temporary License issued 01/26/2024.

h. Makris Lobster and Steakhouse Inc, 354 Sheep Davis Road, Concord, NH 03301. To be issued Cocktail Lounge-Full Service Restaurant License #1684003 pursuant to RSA 178:22, V(q)/ RSA 178:21, II(a)(1). 90-Day Temporary License issued 01/26/2024.

i. Monadnock Music at Bass Hall, 19 Grove Street, Peterborough, NH 03458.
 To be issued Special One-Day, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License # 684641 for 01/25/2024 between 6:00 p.m. and 9:00 p.m. pursuant to RSA 178:22, V(I).

 j. Phase Three Brewing Company LLC, 932 Donata Court, Lake Zurich, IL 60047.
 To be issued Beverage Vendor License #133031 pursuant to RSA 178:15.
 Manufacturer: Phase Three Brewing 30-Day Temporary License issued 01/29/2024.

k. Sodo Hospitality, 45 Pointe Place, Suite 6, Dover, NH 03820.
 To be issued Cocktail Lounge-Full Service Restaurant License #1683203 pursuant to RSA 178:22, V(q)/ RSA 178:21, II(a)(1).
 90-Day Temporary License issued 01/25/2024.

- I. Soel Sistas LLC, 30 Temple Street, Nashua, NH 03060.
 To be issued Restaurant, On-Premises, Beverage & Wine License #1685503 pursuant to RSA 178:20.
 30-Day Temporary License issued 01/26/2024.
- m. Sun Bar and Grille LLC, 606 Nashua Street, Milford, NH 03055.
 To be issued Restaurant, On-Premises, Beverage/Wine/Liquor License #1679903 pursuant to RSA 178:21.
 90-Day Temporary License issued 01/26/2024.
- Nin- It-Too Inc DBA Global Beer Network, 30 Log Bridge Road, Building 300, Unit 301, Middleton, MA 01949.
 To be issued Beverage Vendor License #133331 pursuant to RSA 178:15.
 Manufacturer: Sullivan's Crat Brewery 30-Day Temporary License issued 01/30/2024.

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 JANUARY 30, 2024: 1,361.

- a. ANYK Corp.
 500 Piermont Avenue, Piermont, NY 10968
 Direct Shipper Retailer Permit pursuant to RSA 178:27.
 (Retailer)
- Freeform Vines, LLC
 701 Lommel Road, Calistoga, CA 94515
 Direct Shipper Wine Manufacturer Permit pursuant to RSA 178:27.
 (Winery)
- Teeter-Totter LLC
 1171 Tubbs Ln, Calistoga, CA 94515
 Direct Shipper Wine Manufacturer Permit pursuant to RSA 178:27.
 (Winery)
- Vineyard 29, LLC
 2929 St Helena Hwy N, St Helena, CA 95492
 Direct Shipper Wine Manufacturer Permit pursuant to RSA 178:27.
 (Winery)

9. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

10. <u>NOTIFICATION OF APPROVED PETITIONS</u>:

a. Flat Iron Catering Co LLC DBA Flat Iron Catering/Kozbar/Chef Koz's Crescent City Kitchen at Whipple Hall, 25 Seamans Road, New London, NH 03257.
 Caterer, Off-Site License #1292734 pursuant to RSA 178:22, V(e).
 Requested approval for a temporary site, to wit, for an event for 02/03/2024 between 7:00 p.m. and 9:00 p.m. pursuant to RSA 178:22, V (e).

- b. Mickeys 603 LLC DBA 20 Hands Steak, Seafood and Barbeque, 330 Route 4, Enfield, NH 03748. Restaurant, On-Premises, Beverage/Wine/Liquor License #1633203 pursuant to RSA 178:21. Requested approval for a permanent extension of service, to wit, for an inside area (downstairs pool table room) pursuant to RSA 178:24/Liq. 404.05.
- c. WVSR LLC DBA T-Bars Restaurant at Waterville, 56 Packard Road, Waterville Valley, NH 03215. Sports Recreation Facility With Cocktail Lounge License #6013605 pursuant to RSA 178:22, V(u)(1). Requested approval for a temporary extension of service, to wit, for an outside area (tent with patio) with the capacity of 213 for 01/26/2024 and 01/27/2024 pursuant to RSA 178:24/Lig. 404.05.

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. Andover, NH;
- b. Boscawen, NH;
- c. Canterbury, NH;
- d. Dover, NH:
- e. Durham, NH;
- f. Farmington, NH;
- g. Hopkinton, NH;
- h. Keene, NH;
- i. Lee, NH;
- j. Milton, NH;
- k. Newbury, NH;
- I. New Durham, NH;
- m. New London, NH:
- n. Northfield, NH;
- o. Pembroke, NH;
- p. Plaistow, NH;
- q. Rochester, NH;
- r. Rollinsford, NH;
- s. Somersworth, NH;
- t. Warner, NH; and
- u. Wimot, NH;

17. ADMINISTRATIVE ACTION ON TOBACCO COMPLIANCE CHECKS RECOMMENDED FOR COMMISSION APPROVAL:

a. Ambe Varahi Corp DBA Riverside Food Brews & Wine Shop,

7 George's Field, Suite 1, Hinsdale, NH 03451.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3251747 pursuant to RSA 178:18/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: 01/19/2024.

Case #: 23-1650-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.

b. Corner News LLC, 67 Main Street, Keene, NH 03431.

Retail Tobacco License #815417 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: 12/19/2023.

Case #: 23-1629-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.

c. Pak Had Associates LLC DBA Shop Express, 499 Central Street

Combination, Off-Premises, Beverage/Wine/Tobacco License #3040047 pursuant to RSA 178:18/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: 01/02/2024.

Case #: 23-1649-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.

Shri Saibaba Corp DBA Park Ave Deli & Market, 30 Park Avenue, Keene, NH 03431.

Combination, Off-Premises, Beverage/Wine/Tobacco License #3371347 pursuant to

RSA 178:18/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: 12/19/2023.

Case #: 23-1629-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.

e. Titanium Group Inc DBA Smoke Land, 4 Main Street, Hinsdale, NH 03451.

Retail Tobacco License #162817 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: 01/19/2023.

Case #: 23-1650-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.

18. ADMINISTRATIVE HEARING DECISION PENDING:

a. Hearing was held January 23, 2024:

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.

19. ADMINISTRATIVE HEARING DECISIONS:

a. Hearing was held on January 23, 2024.:

Black Bear Vineyard, 289 New Road, Salisbury, NH 03268.

Wine Manufacturer License #566230 pursuant to RSA 178:8.

Cited for violation of RSA 178:8, IV – failed to file a monthly tax report by the 10th of the following month. Date of violation: 08/11/2023.

Case #: 23-1263-OF.

Decision: A fine of \$100 is hereby imposed and is due within 5 days and to comply with Title XIII and the rules of the Commission.

20. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

None