

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR WEDNESDAY, OCTOBER 31, 2012

1. LICENSEES WHO HAVE NOT ATTENDED MANDATORY TRAINING:

None

2. HEARINGS SCHEDULED AT THE LIQUOR COMMISSION, 50 STORRS STREET, CONCORD, NH:

Date to be determined:

- a. Alburritos Mexican Restaurant, 406 Union Street, Littleton, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1398503.
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: March 9, 2012.
Case #12-81-OF.

Date to be determined:

- b. Merrill's Place, 137 Epping Road, Exeter, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1403603.
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.
Cited for violation of RSA 179:31, XIII – failed to make food readily available while advertising or promoting reduced drink prices.
Cited for violation of RSA 178:21, II(a)(1) – failed to have full course meals readily available, promoted and served to tables while serving alcohol.
Date of violations: March 2-3, 2012.
Case #12-76-OF.

Date to be determined:

- c. Spalding Inn/2 Kings Pub, 199 Mountain View Road, Whitefield, NH.
Restaurant Full Service With Lounge License #1378803.
Licensed pursuant to RSA 178:21, II(a)(1)/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.
Date of violation: March 23, 2012.
Case #12-108-OF.

HEARING SCHEDULED AT THE DIVISION OF ENFORCEMENT, 57 REGIONAL DRIVE, CONCORD, NH:

None

3. WARNING LETTERS/FINES/SUSPENSIONS/MANDATORY TRAINING FOR COMMISSION APPROVAL:

- a. Bailiwick's Fine Restaurant Wine & Martini Bar, 111 Main Street, Littleton, NH.
Restaurant Full Service With Lounge License #1340703.
Licensed pursuant to RSA 178:21, II(a)(1)/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.
Date of violation: May 11, 2012.

- Case #: 12-162-OF.
Recommendation: Settlement reached for a \$500 administrative fine, four (4) points assessed to the liquor license, the license to sell alcohol suspended for three (3) days commencing November 7, 2012 with re-grant on November 10, 2012 and mandatory attendance at a Total Education in Alcohol Management (TEAM) seminar within thirty (30) days of adjudication for all servers who have not attended since the date of violation. APPROVED
- b. Circa Wines, 9 Hampshire Lane, Londonderry, NH.
Liquor and Wine Vendor License #101745.
Licensed pursuant to RSA 178:9.
Cited for violation of RSA 178:9/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: September 7, 2012.
Case #: 12-271-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation. APPROVED
- c. FedEx Express, 3610 Hacks Cross Road, Memphis, TN.
Carrier-Beverage/Wine/Liquor License #571416.
Licensed pursuant to RSA 178:14.
Cited for violation of RSA 179:5, I – shipped alcohol for a vendor that is on the seizure list.
Dates of violation: February 10, 2012 & August 13, 2012.
Case #: 12-87-OF, 12-222-OF & 12-223-OF.
Recommendation: \$500 administrative fine to come forward from a violation adjudicated on March 28, 2012 & a \$750 administrative fine for a total of \$1,250 in administrative fines. APPROVED
- d. 1st Clarksville Store, Route 3 #54, Clarksville, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3056447.
Licensed pursuant to RSA 178:18/126-K:4.
Cited for violation of RSA 178:9/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: October 3, 2012.
Case: #12-303-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation. APPROVED
- e. Frontside Grind, 2697 White Mountain Highway, North Conway, NH.
Restaurant Beverage and Wine License #1449803.
Licensed pursuant to RSA 178:20.
Cited for violation of RSA 178:20/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: October 4, 2012.
Case: #12-308-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation. APPROVED
- f. Holy Smokes Cigar House, 297 South Willow Street, Manchester, NH.
Retail Tobacco License #711917.
License pursuant to RSA 178:19-a.
Cited for violation of RSA 178:19-a/704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: August 22, 2012.
Case #: 12-236-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation. APPROVED

- g. Italian Oasis Restaurant, 106 Main Street, Littleton, NH.
Restaurant Full Service With Lounge License #2000315.
Licensed pursuant to RSA 178:21, II(a)(1)/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.
Date of violation: March 6 -7, 2012.
Case #: 12-134-OF.
Recommendation: Settlement reached for \$500 administrative fine, four (4) points assessed to the liquor license & the license to sell alcohol suspended for three (3) days commencing November 4, 2012 with re-grant on November 7, 2012. - APPROVED
- h. King's Asian Cuisine, 636 Union Avenue, Laconia, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1369203.
Licensed pursuant to RSA 178:21.
Cited for violation of RSA 178:21/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: September 11, 2012.
Case #: 12-278-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation. APPROVED
- i. Oak Ridge Winery, 6100 East Highway 12, Lodi, CA.
Liquor and Wine Vendor License #989045.
Licensed pursuant to RSA 178:9.
Cited for violation of RSA 178:9/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: September 7, 2012.
Case #: 12-270-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation. APPROVED
- j. O'Brien's Sports Bar, 118 Main Street, Nashua, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1419403.
Licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person – 2 counts.
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.
Date of violations: July 20, 2012.
Case #: 12-212-OF.
Recommendation: For violation of RSA 179:5, a \$500 administrative fine, four (4) points assessed to the liquor license, a three (3) day suspension of liquor license held in abeyance for twelve (12) months pending no like violation of RSA 179:5 relative to service of alcohol to a minor and mandatory attendance at a Total Education in Alcohol Management (TEAM) seminar within thirty (30) days of adjudication for all servers who were working at the time the violation occurred and who have not attended since the date of violation; a \$250 administrative fine for violation of RSA 179:20, II and a \$250 administrative fine for violation of RSA 179:27, II for a total of \$1,000 in administrative fines.

- k. Out of the Ordinary, 104 Pleasant Street, Claremont, NH.
Restaurant Beverage and Wine License #1436203.
Licensed pursuant to RSA 178:20.
Cited for violation of RSA 178:20/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: September 5, 2012.
Case #: 12-269-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation. APPROVED

- l. Shop Drop & Dry Laundromat & Variety, 399 Dubuque Street, Manchester, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3209747.
Licensed pursuant to RSA 178:18/126-K:4.
Cited for violation of RSA 178:18/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: October 4, 2012.
Case #: 12-306-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation. APPROVED

- m. Spider Bite, 435 Elm Street, Manchester, NH.
Retail Tobacco License #654317.
License pursuant to RSA 178:19-a.
Cited for violation of RSA 178:19-a/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: August 17, 2012.
Case #: 12-230-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation. APPROVED

- n. Yo's Thai Cuisine Restaurant, 101 North Main Street, Rochester, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1320203.
Licensed pursuant to RSA 178:21.
Cited for violation of RSA 178:21/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: September 4, 2012.
Case #: 12-255-OF.
Recommendation: \$100 administrative fine suspended for twelve (12) months pending no like violation. APPROVED

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

None

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

None

6. **NOTIFICATION OF ALCOHOL COMPLIANCE CHECKS:**

None

7. NOTIFICATION OF TOBACCO COMPLIANCE CHECKS:

Cheshire County:

- a. Bottoms Up Discount Beverage, 637 Route 12S, Fitzwilliam, NH.
Combination License #702847.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 15, 2012.
Case #: 12-248-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.
- b. Granite Convenience Store, 219 West Street, Keene, NH.
Combination License #3224447.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 8, 2012.
Case #: 12-248-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.
- c. Jake's 5 Star, 65 Roxbury Street, Keene, NH.
Combination License #3086347.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 8, 2012.
Case #: 12-248-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.
- d. My Place Market & Deli, 79 North Street, Keene, NH.
Combination License #3291147.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 8, 2012.
Case #: 12-248-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.
- e. T-Bird Mini Mart, 37 Monadnock Highway, Swanzey, NH.
Combination License #3148947.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 8, 2012.
Case #: 12-248-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.

Hillsborough County:

- a. Country Corner Mile, Route 31, Greenville, NH.
Combination License #3112647.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 26, 2012.
Case #: 12-289-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.
- b. DW Highway Mobil, 468 DW Highway, Merrimack, NH.
Combination License #3283947.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 27, 2012.
Case #: 12-292-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.
- c. Fast Track Convenience, 136 South Willow Street, Manchester, NH.
Combination License #3223547.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 27, 2012.
Case #: 12-292-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.
- d. Harris' Mini Mart, 148 Route 202, Bennington, NH.
Combination License #3131347.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 26, 2012.
Case #: 12-289-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.
- e. Sully's Superette, 10 North Mast Road, Goffstown, NH.
Combination License #683047.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 27, 2012.
Case #: 12-292-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.

Hudson, Pelham & Salem:

- a. Black Cow Convenience, 72-74 Lowell Road, Hudson, NH.
Combination License #3201247.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 19, 2012.
Case #: 12-283-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.
- b. Circle K, 329 Derry Road, Hudson, NH.
Combination License #3228547.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 19, 2012.
Case #: 12-283-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.
- c. Hess Express, 362 North Broadway, Salem, NH.
Combination License #3185547.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 19, 2012.
Case #: 12-283-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.
- d. Palmer's Market, 76 Lowell Road, Hudson, NH.
Combination License #3183747.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 19, 2012.
Case #: 12-283-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.
- e. Walmart, 300-344 North Broadway, Salem, NH.
Combination License #3088147.
Licensed pursuant to RSA 178:18.
Cited for violation of RSA 126-K:4, I – sold tobacco product to an underage person during a compliance check.
Date of violation: September 19, 2012.
Case #: 12-283-OF.
Verbal warning and mandatory attendance at a Management Training Seminar (MTS) within ninety-days of the date of violation for a manager.

8. NOTIFICATION OF NEW APPROVED LICENSES:

- a. L.B.O. Holding, Inc. DBA Attitash Resort, 775 US Route 302, Bartlett, NH 03812.
Issued Beer Festival - Beverage and Specialty Beer License #11414 pursuant to RSA 178:30 for October 6, 2012 from 12:00pm to 6:00pm and October 7, 2012 from 12:00pm to 5:00pm.
- b. Market at Tuscan Kitchen LLC (The), 7 Willow Street, Salem, NH 03079.
Issued Combination Off-Premise Beverage/Wine/Tobacco License #3297147 pursuant to RSA 178:18.
- c. Moonbeam Café LLC (The), 70 Main Street, Lancaster, NH 03584.
Issued Restaurant On-Premise Beverage/Wine License #1453903 pursuant to RSA 178:20.
- d. Prescott Park Arts Festival, 1 Redhook Way, Redhook Brewery Front Yard, Portsmouth, NH 03801.
Issued Beer Festival - Beverage and Specialty Beer License #11314 pursuant to RSA 178:30 for October 6, 2012 from 12:00pm to 9:00pm.
- e. R & B Tobacco Junction LLC, 11 Bridge Street, Pelham, NH 03076.
Issued Combination Off-Premise Beverage/Wine/Tobacco License #3297947 pursuant to RSA 178:18.
- f. 393 Bridge Street Delicatessen LLC DBA Jerome's Delicatessen,
393 Bridge Street, Manchester, NH 03104.
Issued Caterers Off Site Cocktail Lounge License #1281834.

9. NOTIFICATION OF APPROVED SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING OCTOBER 29, 2012: 1,010

- a. Barrel 27 Wine Company, 2093 Prospect, Paso Robles, CA 93446.
Issued Direct Shipper Permit #8201333 pursuant to RSA 178:27.
- b. Bryter Estates LLC, 110 Camino Oruga, Napa, CA 94558.
Issued Direct Shipper Permit #8201633 pursuant to RSA 178:27.
- c. Cardwell Hill Cellars LLC, 24241 Cardwell Hill Drive, Philomath, OR 97370.
Issued Direct Shipper Permit #8202333 pursuant to RSA 178:27.
- d. Classic Wines LLC, 8472 Tyco Road, Unit A, Vienna, VA 22182.
Issued Direct Shipper Permit #8201433 pursuant to RSA 178:27.
- e. Doyna Ltd., 458 Wortman Avenue, Brooklyn, NY 11208.
Issued Beverage Vendor License #65031 pursuant to RSA 178:15.
MANUFACTURER: Baltika Breweries, 6th Verkhnyy Perevlok3, St. Petersburg, Russia.
- f. Earth Eagle Brewings LLC, 175 High Street #6, Portsmouth, NH 03801.
Issued Nano Brewery License #20622 pursuant to RSA 178:12a.
- g. George O. Hendry DBA Hendry Winery, 3104 Redwood Road, Napa CA 94558.
Issued Direct Shipper Permit #8201733 pursuant to RSA 178:27.
- h. Great Rhythm Brewing Company LLC, 229 Miller Avenue #3, Portsmouth, NH 03801.
Issued Beverage Vendor License #66331 pursuant to RSA 178:15.
MANUFACTURER: Mercury Brewing, MA.
- i. Knez Wine Corp, 16125 Deer Meadows Road, Boonville CA 95415.

Issued Direct Shipper Permit #8201533 pursuant to RSA 178:27.

- j. KSSM LLC DBA Michel Schumberger,
4155 Wine Creek Road North, Healdsburg, CA 95448.
Issued Direct Shipper Permit #8201233 pursuant to RSA 178:2.
- k. Lachini Vineyards LLC, 18225 NE Calkins Lane North, Newberg, OR 97132.
Issued Direct Shipper Permit #8202133 pursuant to RSA 178:2.
- l. Melanson, Gregory Robert DBA Melanson Vineyard,
1537 Sage Canyon Road, Saint Helena, CA 94574.
Issued Direct Shipper Permit #8201933 pursuant to RSA 178:27.
- m. Millercoors LLC, 311 10th Street, Golden, CO 80401.
Issued Beverage Vendor License #65931 pursuant to RSA 178:15.
MANUFACTURER: Molson Coors Brewing Co., Burton On Trent, UK.
- n. Millercoors LLC, 311 10th Street, Golden, CO 80401.
Issued Beverage Vendor License #66031 pursuant to RSA 178:15.
MANUFACTURER: Brovweru Van Steenberge, Belgium.
- o. Pup's Cider Company LLC, 193 East Road, Greenfield, NH 03047.
Issued Beverage Vendor License #66431 pursuant to RSA 178:15.
MANUFACTURER: Adams Cider Company.
- p. T.G.I.C. Importers, Inc., 8838 Morro Road, Atascadero, CA 93422.
Issued Direct Shipper Permit #8201833 pursuant to RSA 178:27.
- q. This Realm LLC DBA Realm Cellars,
1461 Railroad Avenue #100, St. Helena, CA 94574.
Issued Direct Shipper Permit #8202233 pursuant to RSA 178:27.
- r. Weibel, Inc. DBA Weibel Champagne Vineyards, 1 Vinemaster Way, Lodi, CA 95242.
Issued Direct Shipper Permit #8202033 pursuant to RSA 178:27.
- s. World Wines at Home LLC, 1709 SE 29th Street, Renton, WA. 98055.
Issued Direct Shipper Permit #8201133 pursuant to RSA 178:27.

10. CANCELLATION OF PERMITS FOR COMMISSION APPROVAL:

None

11. NOTIFICATION OF APPROVED PETITIONS:

- a. Boston Culinary Group, Inc., 719 Cherry Valley Road, Gilford, NH 03246.
Sports Recreation Facility On-Premise Cocktail Lounge License #572305.
Licensed pursuant to RSA 178:22, V.
Requests approval for other areas, to wit, an outside double fenced area for Mad Dog Race on
October 13, 2012 from 10:30am to 3:30pm sanctioned off appropriately pursuant to RSA 178:24 and
Liq. 404.05.
- b. Boston Culinary Group, Inc., 719 Cherry Valley Road, Gilford, NH 03246.
Sports Recreation Facility On-Premise Cocktail Lounge License #572305.
Licensed pursuant to RSA 178:22, V.
Requests approval for other areas, to wit, an outdoor Bowl Area for the Cystic Fibrosis Motorcycle Run
on October 14, 2012 from 10:00am to 3:00pm sanctioned off appropriately pursuant to RSA 178:24
and Liq. 404.05.

- c. Capitol Center For The Arts, Inc., 44 South Main Street, Concord, NH 03301.
Performing Arts Facility On-Premise Cocktail Lounge License #398008.
Licensed pursuant to RSA 178:22, V.
Requests approval for exception to RSA 179:20, II, to wit, to allow entertainer Ron White to consume alcohol on-stage as part of his act on September 25, 2012 as defined pursuant to RSA 275:4, II.
- d. Concord Food Cooperative, Inc. DBA Concord Cooperative Market,
24 South Main Street, Concord, NH 03301.
Combination Off-Premise Beverage/Wine License #3198547.
Licensed pursuant to RSA 178:18.
Requests approval for other areas, to wit, an outside tented parking lot area for a tasting event on October 18, 2012 from 6:00pm to 8:00pm sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- e. Daniel's Pub, Inc., 48 Main Street, Henniker, NH 03242.
Restaurant On-Premise Cocktail Lounge License #414903.
Licensed pursuant to RSA 178:22, V.
Requests approval for other areas, to wit, an outside patio area with a capacity of 68 on September 29, 2012 from 11:00am to 4:00pm sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- f. Get N Go Foodstop LLC, 74 Main Street, Greenville, NH 03048.
Retail Tobacco Off-Premise Tobacco License #126317.
Licensed pursuant to RSA 178:19-a.
Requests a waiver to RSA 179:48, IV, to wit, to allow a direct entrance to a residential premise which will be locked at all times.
- g. Hanover Hospitality LLC DBA Six South Street, 6 South Street, Hanover, NH 03755.
Hotel On-Premise Cocktail Lounge License #367502.
Licensed pursuant to RSA 178:22, V.
Requests approval for other areas, to wit, an outside parking lot area on October 23, 2012 from 5:00pm to 9:00pm sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- h. Hanover Street Chophouse LLC, 149 Hanover Street, Manchester, NH 03101.
Restaurant On-Premise Beverage/Wine/Liquor License #1306703.
Licensed pursuant to RSA 178:21.
Requests 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).
- i. Heat Restaurant LLC, 604 Endicott Street, Laconia, NH 03246.
Restaurant On-Premise Cocktail Lounge License #1385703.
Licensed pursuant to RSA 178:22, V.
Requests approval for other areas, to wit, an outside fenced and tented area with a capacity of 2,380 on September 22, 29 & October 21, 2012 sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- j. Jackson Lucas Events LLC DBA Labelle Winery Events, 345 Route 101, Amherst, NH 03031.
Restaurant On-Premise Beverage/Wine/Liquor License #404103.
Licensed pursuant to RSA 178:21.
Requests approval for other areas, to wit, two outside patio areas with a total capacity of 146 sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.

- k. Lakes Region Nutrition Center LLC, 52 NH Route 25, Meredith, NH 03253.
Combination Off-Premise Beverage/Wine License #3199547.
Licensed pursuant to RSA 178:18.
Requests approval for authorization to transfer product, to wit, to close the current business and transfer the alcohol stock from 52 NH Route 25, Meredith, NH to the new location at 73 Main Street, Meredith, NH pursuant to RSA 178:29, VIII.
- l. Liquid Planet LLC, 446 Route 27, Candia, NH 03034.
Seasonal Restaurant On-Premise Beverage/Wine License #1377203.
Licensed pursuant to RSA 178:20.
Requests approval for other areas, to wit, an outside beer garden area with a capacity of 80 from October 5 through October 30, 2012 sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- m. Loon Mountain Recreation Company DBA Loon Mountain Ski Area,
Octagon Lodge Café, 60 Loon Mountain Road, Lincoln, NH 03251.
Restaurant On-Premise Beverage/Wine License #404103.
Licensed pursuant to RSA 178:20.
Requests approval for other areas, to wit, an outside beer garden area with a capacity of 430 for the Monster Mud Run, October 27, 2012 from 10:00am to 6:00pm sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- n. Nashua Pie LLC DBA Portland Pie Nashua, 14 Railroad Square, Nashua, NH 03064.
Restaurant On-Premise Beverage/Wine/Liquor License #1438803.
Licensed pursuant to RSA 178:21.
Requests approval for other areas, to wit, an outside area with a capacity of 75 on October 20, 2012 sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- o. Sumner Country Restaurant & Creamery LLC, 417 Route 108, Somersworth, NH 03878.
Restaurant On-Premise Beverage/Wine/Liquor License #1396803.
Licensed pursuant to RSA 178:21.
Requests a waiver of RSA 178:21, II, a (2) for authorization for reduction of hours, to wit, to reduce the hours of operation to less than five days a week for the period of October 19, 2012 to May 1, 2012, for Sunday through Wednesday 6:30am – 2:30pm and Thursday through Saturday 6:30am – 9:00pm as requested in a letter received October 19, 2012.
- p. Tandy Stephens, Inc. DBA Tandy's Top Shelf, 1 Eagle Square, Concord, NH 03301.
Restaurant On-Premise Beverage/Wine/Liquor License #1404103.
Licensed pursuant to RSA 178:21.
Requests approval for an outside area, to wit, an outside atrium area at 7 Eagle Square, Concord, NH with a capacity of 206 on April 16, & 23, 2012 from 9:00pm to 1:00am sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- q. Troko Entertainment Inc. DBA Arena Sports Bar & Nightclub, 53 High Street, Nashua, NH 03060.
Restaurant On-Premise Cocktail Lounge License #1453303.
Licensed pursuant to RSA 178:22, V.
Requests approval for other areas, to wit, an outside patio area with a capacity of 38 sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- r. True Brew Barista LLC, 3 Bicentennial Square, Concord, NH 03301.
Restaurant On-Premise Beverage/Wine License #1433003.
Licensed pursuant to RSA 178:20.
Requests approval for other areas, to wit, two new inside areas with a total capacity of 95 and an outside patio area with a capacity of 14 sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.

- s. VFW Social Club, 22 Hathorn Road, Jaffrey, NH 03452.
Veterans Club On-Premise Cocktail Lounge License #21739.
Licensed pursuant to RSA 178:22, V.
Requests approval for other areas, to wit, an outside fenced area with a total capacity of 300 on September 29, 2012 from 2:00pm to 10:00pm sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- t. Volume Services, Inc. DBA Centerplate 1, 1 Skimobile Road, North Conway, NH 03860.
Restaurant On-Premise Cocktail Lounge License #1442703.
Licensed pursuant to RSA 178:22, V.
Requests approval for other areas, to wit, an outside beer garden area with a capacity of 30 on September 28, 29, October 5, 6, 7, 12, 13, 19, 20, 26, 27 & 28, 2012 from 6:00pm to 11:00pm sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- u. Weirs Sports Center, Inc. DBA Funspot, 579 Endicott Street, Laconia, NH 03247.
Sports Recreation Facility On-Premise Cocktail Lounge License #523905.
Licensed pursuant to RSA 178:22, V.
Requests approval for other areas, to wit, an outside tented area with a total capacity of 48 on September 30, 2012 from 10:00am to 5:00pm sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.
- v. Woodmans at Litchfield LLC, 445 Charles Bancroft Highway, Litchfield, NH 03052.
Restaurant On-Premise Cocktail Lounge License #1384103.
Licensed pursuant to RSA 178:22, V.
Requests approval for other areas, to wit, an outside fenced area with a total capacity of 1,000 on September 28, 2012 through November 3, 2012 sanctioned off appropriately pursuant to RSA 178:24 and Liq. 404.05.

12. FELON EXCEPTIONS:

- a. Buffalo Wild Wings, 160 Washington Street #103, Rochester, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1455803.
Licensed pursuant to RSA 178:21.
Requests approval for a Felon Exception for Jacob Bialeschki as a License Applicant pursuant to RSA 179:23 and Liq. 404.06(c).
Case #: 12-256-OF
Recommendation: Approval.- APPROVED
- b. Nouria Energy – Long Hill Road Shell, 1 Long Hill Road, Dover, NH.
Combination Off-Premise Beverage/Wine/Tobacco License #3282447.
Licensed pursuant to RSA 178:18.
Requests approval for a Felon Exception for Everett Millay as a Person-In-Charge pursuant to RSA 179:23 and Liq. 404.06(c).
Case #: 12-237-OF
Recommendation: Approval. –TABLED FOR MORE DISCUSSION ON SUPERVISION. LICENSEE WILL BE REQUIRED TO APPEAR BEFORE COMMISSION.
- c. Pearl Catering, 45 Pearl Street, Portsmouth, NH.
Caterer-Off-Site License #1275626.
Licensed pursuant to RSA 178:22, V(e).
Requests approval for a Felon Exception for Gary Dodds as a Person-In-Charge pursuant to RSA 179:23 and Liq. 404.06(c).
Case #: 12-168-OF.
Recommendation: Approval. – APPROVED

13. **COMMISSION DECISIONS PENDING AFTER AGENDA MEETING:**

None

14. **COMMISSION DECISIONS PENDING AFTER HEARING:**

McCue's Billiards & Sports Lounge, 12 Emerald Street, Keene, NH.

Sports Entertainment License #2503405.

Licensed pursuant to RSA 178:20, (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.

Date of violation: October 16, 2010.

Case #: 10-548-OF.

- ASSENTED-TO MOTION TO CONTINUE HEARING SCHEDULED FOR MARCH 26, 2012 FILED BY THE LICENSEE AND GRANTED BY THE COMMISSION.
- ASSENTED-TO MOTION TO CONTINUE HEARING SCHEDULED FOR MAY 11, 2012 FILED BY THE DIVISION OF ENFORCEMENT AND GRANTED BY THE COMMISSION.
- HEARING COMMENCED JUNE 18, 2012 AND WILL CONTINUED ON AUGUST 3, 2012.
- HEARING WAS CONTINUED AND CLOSING ARGUMENTS WERE HEARD ON AUGUST 3, 2012.
- DELIBERATIONS WERE HELD AUGUST 22, 2012 AT 2:00 P.M. AT COMMISSION OFFICES.
- THE COMMISSION ISSUED A DECISION ON AUGUST 23, 2012 INDICATING THAT THE PETITIONER HAS PRESENTED SUFFICIENT PROOF BY A PREPONDERANCE OF THE EVIDENCE TO SUSTAIN THE ASSERTIONS OF THE PETITIONER IN CONCURRENCE WITH TITLE XIII REVISED STATUTES ANNOTATED THAT LICENSEE #2503405 IS IN VIOLATION OF RSA 179:5,I, IN THAT A REASONABLE AND PRUDENT PERSON SHOULD HAVE STOPPED SERVING ALCOHOL TO MR. MASTERSON PRIOR TO 10:30 PM ON OCTOBER 16, 2010; THE LICENSEE SERVED OR SOLD AN ALCOHOLIC BEVERAGE TO AN INDIVIDUAL WHO A REASONABLE AND PRUDENT PERSON WOULD KNOW IS INTOXICATED; THE COMMISSION ORDERS THE PARTIES TO SUBMIT, WITHIN TEN CALENDAR DAYS FROM THE DATE OF THE DECISION AND ORDER, RECOMMENDED PENALTIES AS ASSOCIATED WITH THE CONCLUSION OF LAW; ONCE RECEIVED AND CONSIDERED, A FINAL DISPOSITION AND ORDER SHALL BE ISSUED.
- ON SEPTEMBER 5, 2012, THE COMMISSION IMPOSED A \$500 ADMINISTRATIVE FINE, FOUR (4) POINTS ASSESSED TO THE LICENSE AND THE LICENSE TO SELL ALCOHOL SUSPENDED FOR THREE (3) DAYS HELD IN ABEYANCE FOR TWELVE (12) MONTHS PENDING NO LIKE VIOLATION FROM AUGUST 30, 2012.
- ON SEPTEMBER 18, 2012, THE LICENSEE, THROUGH NEW COUNSEL, FILED A MOTION FOR EXTENSION OF TIME WITHIN WHICH TO FILE A MOTION FOR REHEARING.
- **ON SEPTEMBER 27, 2012 THE COMMISSION FOUND NO EXISTENCE OF NEWLY DISCOVERED EVIDENCE WHICH DUE DILIGENCE WOULD NOT HAVE DISCOVERED PRIOR TO THE HEARING; THE FINDINGS AND INTERPRETATION OF THE INFORMATION LISTED IN THE COMMISSION'S REPORT AND ORDER REACHES A CONCLUSION OF LAW THAT THIS COMMISSION BELIEVES IS APPROPRIATE AND LAWFUL; PETITION FOR REHEARING PURSUANT TO RSA 541:3 IS DENIED; APPEAL MAY BE MADE TO THE SUPREME COURT WITHIN THIRTY DAYS.** – PETITION TO APPEAL FILED W/SUPREME COURT – COMMISSION REQUESTING CALL BE PLACED TO LEGAL REPRESENTATIVE FOR A COPY OF THE PETITION FOR THE COMMISSION AND THE CHIEF HEARINGS OFFICER.

15. **MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:**

- a. Canal Street Brewing Company LLC DBA Founders Brewing Company, 235 Grandville Avenue Southwest, Grand Rapids, MI 49503. Beverage Vendor License #62431. Licensed pursuant to RSA 178:15. Requests approval of Founders Bolt Cutter with an alcohol content of 14.8% at 60 degrees Fahrenheit by volume pursuant to RSA 178:1, LXIV-a and 179:40-a. Recommendation: Approval. – TABLED BY COMMISSION

- b. CDR Peter B. Dodson, USN, 144 Fairview Avenue, Henniker, NH 03242.
Requests a waiver of transport fee, to wit, a military serviceman wishes to import his collection of alcohol to New Hampshire from overseas where he is currently stationed and have the 25% fee waived pursuant to RSA 175:6.
Recommendation: Approval. – TABLED BY COMMISSION
- c. Eddie B's Diner – the licensees are expected to appear before the commission after failing to respond to a violation of 179:32, II – did not purchase beer/beverage from a licensed NH wholesaler.-
ACKNOWLEDGED
- d. MAJ Brian Huether, USAF, 3 Stephanie Drive, Pelham, NH 03076.
Requests a waiver of Transport Fee, to wit, a military serviceman wishes to import his collection of alcohol to New Hampshire from overseas where he is currently stationed and have the 25% fee waived pursuant to RSA 175:6.
Recommendation: Approval. – TABLED BY COMMISSION
- e. Moonlight Meadery - Request to manufacture Utopian, a premium, barrel-aged mead with an ABV at 19% to be bottled, released and sold for \$50 per 375 ml bottle; this product is not fortified.
TABLED ON 9/26/12. - APPROVED
- f. Millercoors LLC, 311 10th Street, Golden, CO 80401.
Beverage Vendor license #45431.
Licensed pursuant to RSA 178:15.
Requests approval of Crispin The Saint with an alcohol content of 6.9%; Crispin Honey Crisp with an alcohol content of 6.5% percent; Crispin Lansdowne with an alcohol content of 6.9%; and Crispin Cho-tokkyu with an alcohol content of 6.5% at 60 degrees Fahrenheit by volume pursuant to RSA 178:1, LXIV-a and 179:40-a.
Recommendation: Approval.
TABLED ON AUGUST 1, 2012.
TO REMAIN TABLED; A HEARING WILL BE SCHEDULED.
TO REMAIN TABLED UNTIL THE OCTOBER 3, 2012 BUSINESS AGENDA; A HEARING MAY BE SCHEDULED.
A HEARING HAS BEEN REQUESTED BY THE LICENSEE AND IS BEING CONSIDERED BY THE HEARINGS OFFICER. ACKNOWLEDGED
- g. Rumney Road House Restaurant and Tavern LLC, 556 Depot Street, Rumney, NH 03266.
Restaurant On-Premise Beverage/Wine/Liquor License #1421103.
Licensed pursuant to RSA 178:21.
Requests a waiver of RSA 178:21, II, a (2) for authorization of reduction of hours, to wit, to reduce the hours of operation to less than five days a week for an unspecified amount of time.
Recommendation: **TO BE DISCUSSED.** – APPROVED WITH MONITORING IN 60-90 DAYS FOR VIOLATIONS

16. **EXECUTIVE SESSION ITEMS:**

None

17. **LATE ITEMS:**

- a. Enforcement industry circulation
Instant Redeemable Coupons (IRCs) COMMISSION MADE AWARE OF EDUCATIONAL INFORMATION on IRCS BY CHIEF EDWARDS – LICENSEE MUST BE IN COMPLIANCE WITH

FEDERAL LAW

- b. Troko Entertainment, Inc. DBA Arena Sports Bar & Nightclub,
53 High Street, Nashua, NH 03060
Restaurant On-Premise Cocktail Lounge License #1453303
Licensed pursuant to RSA 178:22,V.
Requests permission for a waiver to RSA 178:22 V and AR 404,03, to wit to use the cocktail lounge for an under 21 party on November 11, 2012 with all alcohol in the lounge locked up and to continue alcohol service in the restaurant dining area.- **APPROVAL – DISCUSSION - APPROVED**