

**NHLC – DIVISION OF ENFORCEMENT – AGENDA  
FOR WEDNESDAY, JANUARY 30, 2013**

**1. LICENSEES WHO HAVE NOT ATTENDED MANDATORY TRAINING:**

None

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

**February 11, 2013 @ 10:00 a.m.:**

- a. Millie's Tavern on L Street, 176 L Street, Hampton, NH.  
Restaurant On-Premise Cocktail Lounge License #1383403.  
Licensed pursuant to RSA 178:22.  
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 4, 2012.  
Case #: 12-146-OF.

**March 7, 2013 @ 9:30 a.m.:**

- b. Jade Palace, 28 Portsmouth Avenue, Stratham, NH.  
Restaurant On-Premise Cocktail Lounge License #1319803.  
Licensed pursuant to RSA 178:22.  
Cited for violation of RSA 179:5, I – served alcoholic beverage to an underage person.  
Cited for violation of RSA 179:8, I – failed to require the purchaser whose age is in question to furnish identification that such person is 21 years of age or over.  
Date of violations: March 12, 2013.  
Case #: 12-85-OF.

**Date to be determined:**

- c. Peachy Canyon Winery, 2025 Nacimiento Lake Drive, Paso Robles, CA 93446.  
Pending Direct Shipper Permit.  
Recommendation: CHANGED TO TABLE.  
APPROVED ITEM TO BE TABLED ON AUGUST 22, 2012.  
COMMISSION APPROVED RECOMMENDATION TO DENY ON SEPTEMBER 26, 2012.  
LICENSEE HAS REQUESTED A HEARING; REQUEST IS BEING PROCESSED.  
COMMISSION ACKNOWLEDGED ON NOVEMBER 14, 2012.  
A PRE-HEARING CONFERENCE IS SCHEDULED FOR DECEMBER 27, 2012.  
A PRE-HEARING CONFERENCE WAS HELD ON DECEMBER 27, 2012; THE LICENSEE WILL SUBMIT WRITTEN INFORMATION TO THE HEARINGS OFFICER FOR CONSIDERATION.  
**LICENSEE WILL BE INFORMED TO APPLY FOR A NEW PERMIT; REQUEST FOR HEARING WITHDRAWN.**

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

None

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

- a. Fat Tony's Italian Grill, 61 North Main Street, Rochester, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1314203.  
Licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:5, I - served an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated.  
Date of violation: September 23, 2011.  
Case #: 11-482-OF.  
Recommendation: **Settlement** reached for a \$500 administrative fine, four (4) points assessed to the liquor license and the license to sell alcohol suspended for three (3) days held in abeyance for twelve (12) months pending no like violation.
  
- b. McCue's Billiards & Sports Lounge, 12 Emerald Street, Keene, NH.  
Restaurant On-Premise Cocktail Lounge License #2503405.  
Licensed pursuant to RSA 178:22.  
Cited for violation of RSA 179:5, I - served 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 17, 2012.  
Case #: 12-99-OF.  
Recommendation: **Settlement** reached for \$1,000 administrative fine with \$500 suspended for twelve (12) months pending no like violation, four (4) points assessed to the liquor license, the license to sell alcohol suspended for five (5) days held in abeyance for twelve (12) months pending no like violation as this case was known to the Division of Enforcement & Licensing prior to violations adjudicated before the Liquor Commission on September 5, 2012 and mandatory attendance at a Total Education in Alcohol Management (TEAM) seminar within thirty (30) days of adjudication for the bartenders involved in this case.
  
- c. Wally's Pub, 144 Ashworth Avenue, Hampton, NH.  
Restaurant On-Premise Cocktail Lounge License #1286503.  
Licensed pursuant to RSA 178:22.  
Cited for violation of RSA 179:5, I - served 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 179:5, I – served alcoholic beverage to an underage person.  
Cited for violation of RSA 179:8, II – accepted photographic identification that was expired, not consistent with the appearance of the person, not correct and free of alteration, erasure, blemish or other impairment.  
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.  
Dates of violations: August 26, 2011 & June 22, 2012.  
Case #: 11-482-OF & 12-187-OF.  
Recommendation: **Settlement** reached for a \$1,000 administrative fine with \$500 suspended for twelve (12) months pending no like violation relative to over-service of alcohol or service to a minor, eight (8) points assessed to the liquor license, a seven (7) day suspension of liquor license with four (4) days held in abeyance for twelve (12) months pending no like violation relative to over-service of alcohol or service to a minor commencing January 30, 2013 with re-grant on February 2, 2013 & mandatory attendance at a Total Education in Alcohol Management (TEAM) seminar in the spring of 2013 for the bartenders involved in these cases; all other violations shall be nol prossed.

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

Amoskeag Beverage, 510 Hall Street, Bow, NH.  
Wholesale Distributor License #283620.  
Licensed pursuant to RSA 178:16.  
Cited for violation of RSA 179:11 – sold beer on consignment.  
Date of violation: January 7, 2013.  
Case #13-10-OF.  
\$250 administrative fine paid.

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

None

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

None

**7. NOTIFICATION OF TOBACCO COMPLIANCE CHECKS:**

None

**8. NOTIFICATION OF NEW APPROVED LICENSES:**

New England's Tap House & Grille LLC, 1292 Hooksett Road, Hooksett, NH 03106.  
Issued Restaurant On-Premise Beverage/Wine/Liquor License #1452403 pursuant to RSA 178:19-a.

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

**TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING JANUARY 25, 2013: 1,019**

- a. Bellview Farms, Inc., DBA Bellview Winery, 150 Atlantic Street, Landisville, NJ 08326.  
Issued Direct Shipper Permit #8204433 pursuant to RSA 178:27.
- b. David Arthur Vineyards LLC, 210 Long Ranch Road, Saint Helena, CA 94574.  
Issued Direct Shipper Permit #8204233 pursuant to RSA 178:27.
- c. J Cellars Investments LLC DBA Joseph Cellars,  
4550 Silverado Trail, Calistoga, CA 94515.  
Issued Direct Shipper Permit #8204333 pursuant to RSA 178:2.
- d. Montagna LLC DBA Montagna Napa Valley, 141 Long Ranch Road, Saint Helena, CA 94574.  
Issued Direct Shipper Permit #8204733 pursuant to RSA 178:27.
- e. Pervino, Inc., 306 E. 3<sup>rd</sup> Street, Austin, TX 78701.  
Issued Direct Shipper Permit #8204833 pursuant to RSA 178:27.
- f. Rowley Estates LLC, 3358 D Coffey Lane, Santa Rosa, CA 95403.  
Issued Direct Shipper Permit #8204133 pursuant to RSA 178:27.
- g. Soter Vineyards LLC, 10880 NE Mineral Springs Road, Carlton, OR 97111.  
Issued Direct Shipper Permit #8204633 pursuant to RSA 178:27.
- h. Standing Stone Vineyards, 9934 Route 414, Hector, NY 14841.  
Issued Direct Shipper Permit #8204533 pursuant to RSA 178:27.

- i. Vignette Winery LLC, DBA Wine Foundry, 21660 8th Street, Sonoma, CA 95476.  
Issued Direct Shipper Permit# 8204033 pursuant to RSA 178:27.
- j. Vino.com LLC DBA Total Beverage Solution,  
1671 Belle Isle Avenue, Suite 125, Mount Pleasant, SC 29464.  
Issued Beverage Vendor Off-Premise Beverage Only License #67131 pursuant to RSA 178:15.

**10. CANCELLATION OF PERMITS FOR COMMISSION APPROVAL:**

None

**11. NOTIFICATION OF APPROVED PETITIONS:**

- a. Barnett Hill Vineyard LLC, DBA Walpole Mountain View Winery,  
114 Barnett Hill Road, Walpole, NH 03608.  
Wine Manufacturer Off-Premise Wine Only License #563530.  
Licensed pursuant to RSA 178:8.  
Requested approval for authorization of other areas, to wit, City of Keene Winter's Farmers' Market at the Colony Mill Marketplace, Keene, NH every 2<sup>nd</sup> and 4<sup>th</sup> Saturdays from November, 2012 through April, 2013 from 10 am to 2 pm and City of Keene Summer Farmers' Market at the parking lot on Commercial Street, Keene, NH every Tuesday and Saturday from May, 2013 through October, 2013 from 9 am to 2 pm pursuant to RSA 178:24 and Liq. 404.05.
- b. Coffin Cellars LLC, 1224 Battle Street, Webster, NH 03303.  
Wine Manufacturer Off-Premise Wine Only License #562930.  
Licensed pursuant to RSA 178:8.  
Requested approval for authorization of other areas, to wit, Town of Tilton Farmers' Market, 67 East Main Street, Tilton NH on Saturdays in January, February & March, 2013 from 10 am to 2 pm pursuant to RSA 178:24 and Liq. 404.05.
- c. Craft Brew Alliance, Inc. DBA Redhook Ale Brewery,  
1 Redhook Way, Pease International, Portsmouth, NH 03801.  
Restaurant On-Premise Cocktail Lounge License #1036603.  
Licensed pursuant to RSA 178:22, V(q).  
Requested approval for an outside area, to wit, an extension to Brewery's front lawn with a capacity of 2,500 on January 26, 2013 from 12 noon to 5:00 pm pursuant to RSA 178:24 and Liq. 404.05.
- d. Cumberland Farms, Inc. #5528, 51 Main Street, Goffstown, NH 03045.  
Combination Off-Premise Beverage/Wine/Tobacco License #868747.  
Licensed pursuant to RSA 178:18.  
Requested authorization to close license #868747, Cumberland Farms, 51 Main Street Goffstown, NH on January 10, 2013 and transfer the alcohol/tobacco inventory to license #3195447, Cumberland Farms, 1727 Dover Road, Epsom, NH pursuant to RSA 179:32.
- e. Jake's Seafood Co., Inc., 2055 Route 16, Ossipee, NH 03890.  
Restaurant On-Premise Beverage/Wine/Liquor License #1012303.  
Licensed pursuant to RSA 178:21.  
Requested 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 from January through March, 2013 and open Thursday through Sunday from 11:30 am to 8:00 pm as indicated in a letter received on January 23, 2013.

- f. Townsend Hospitality LLC, 149 Hanover Street, Manchester, NH 03101.  
Restaurant On-Premise Beverage/Wine/Liquor License #1460603.  
Licensed pursuant to RSA 178:21.  
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).

**12. FELON EXCEPTIONS:**

None

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

None

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

Millercoors LLC, 311 10<sup>th</sup> 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.  
COMMISSION DENIED REQUESTS AT ITS OCTOBER 3, 2012 BUSINESS MEETING;  
A HEARING HAS BEEN VERBALLY REQUESTED BY THE LICENSEE; HEARINGS OFFICER IS ATTEMPTING TO OBTAIN A WRITTEN REQUEST AND DETERMINE WHO WILL BE REPRESENTING MILLERCOORS.  
ON NOVEMBER 30, 2012, MILLERCOORS REQUESTED A HEARING IN WRITING; HEARINGS OFFICER WILL SCHEDULE  
**HEARING WAS HELD JANUARY 18, 2013 AT 10:00 A.M.; THIS MATTER HAS BEEN TAKEN UNDER ADVISEMENT; DELIBERATIONS WILL BE HELD ON JANUARY 30, 2013 FOLLOWING THE BUSINESS MEETING AT 1:30 P.M.**

**15. HEARING RESULTS:**

None

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

Realm Restaurant will come before the Commission regarding an outstanding fine that has not been paid.

**17. EXECUTIVE SESSION ITEMS:**

None