

**NHLC – DIVISION OF ENFORCEMENT – AGENDA  
FOR WEDNESDAY, JANUARY 22, 2014**

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

None

**2. HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREETS, CONCORD, NH:**

None

**HEARINGS HELD AT THE OFFICES OF THE PUBLIC UTILITIES COMMISSION, WALKER BUILDING,  
21 SOUTH FRUIT STREET, CONCORD, NH:**

**March 20, 2014 @ 10:00 a.m.**

- a. Bottoms Up Discount Beverage, 637 Route 125, Fitzwilliam, NH.  
Combination Off-Premises Beverage/Wine/Tobacco #702847 licensed pursuant to  
RSA 178:18/RSA 126-K:4.  
Cited for violation of RSA 178:18/RSA 175:1, XXXVI/Liq. 404.02 - failed to have representative  
grocery items commonly found in a grocery or convenience store.  
Date of violation: October 4, 2013.  
Case #: 13-338-OF.

**Date to be determined:**

- b. Samantha's Inn, 1536 White Mountain Highway, Tamworth, NH.  
Hotel Full Service With Lounge License #367802 licensed pursuant to  
RSA 178:21, II(b)(1)/178:22, V(k).  
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.  
Date of violations: March 6, 2012.  
Case #: 12-95-OF.  
**PRE-HEARING CONFERENCE HELD ON NOVEMBER 21, 2013; SETTLEMENT IS PENDING;  
SETTLEMENT REACHED BUT LICENSEE HAS FAILED TO EXECUTE SETTLEMENT AGREEMENT.  
AGREEMENT SIGNED BY LICENSEE BUT NOT ALL TERMS HAVE BEEN MET.**

**Date to be determined:**

- c. **Tony Clamato's Café Roma, 15 Court Street, Keene, NH.**  
Restaurant Full Service With Lounge License #1223603 licensed pursuant to  
RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved  
by the Commission.  
Date of violation: May 3, 2013.  
Case #: 13-142-OF.  
**POSTPONED.**

**3. NOTIFICATION OF DISCIPLINARY ACTION:**

- a. Cannon Mountain View Above The Notch, 729 Main Street, Franconia, NH.  
Restaurant Full Service With Lounge License #1271203 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 – 4 counts.  
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.  
Cited for violation of RSA 179:44, I – gave away free drinks to customers, patrons, members or guests.  
Cited for violation of RSA 179:50 – allowed the premises to be used for a purpose contrary to law.  
Cited for violation of RSA 179:51 – failed to maintain an orderly premise – 2 counts.  
Dates of violations: March 9 – 10, 2013 & September 1 – 2, 2013.  
Case #: 13-132-OF & 13-371-OF.  
License Revocation Hearing and Felon Exception Revocation for Raymond Fredericksen, III.  
HEARING ON FELON EXCEPTION REVOCATION WAS SCHEDULED FOR NOVEMBER 21, 2013 AND POSTPONED PENDING FELON'S CRIMINAL TRIAL;  
NOTICE OF IMMEDIATE SUSPENSION OF LIQUOR LICENSE WAS ISSUED NOVEMBER 22, 2013; HEARING ON THE STATUS OF LIQUOR LICENSE WAS HELD NOVEMBER 27, 2013; MOTION TO CONTINUE WAS FILED BY LICENSEE AND GRANTED; HEARING RESCHEDULED FOR DECEMBER 2, 2013;  
LICENSEE FILED AN OBJECTION AND MOTION TO DISMISS WITH PREJUDICE THE IMMEDIATE SUSPENSION ON DECEMBER 1, 2013; MOTION GRANTED TO DISMISS IMMEDIATE SUSPENSION ON DECEMBER 2, 2013; HEARING FOR REVOCATION OF LIQUOR LICENSE SCHEDULED FOR DECEMBER 19, 2013 AT 9:30 AM;  
LICENSEE FILED SECOND MOTION TO CONTINUE ON DECEMBER 6, 2013; DIVISION'S RESPONSE TO LICENSEE'S MOTION TO CONTINUE FILED DECEMBER 16, 2013; HEARING CONTINUED TO JANUARY 16, 2014 AT 1:00 P.M.;  
MOTION FOR RECONSIDERATION RELATIVE TO FELON EXCEPTION REVOCATION FILED BY LICENSEE ON DECEMBER 10, 2013 AND DENIED ON DECEMBER 30, 2013;  
MOTION FOR RECONSIDERATION OF DISMISSAL BEING ISSUED WITHOUT PREJUDICE FILED BY LICENSEE ON DECEMBER 11, 2013; DIVISION OF ENFORCEMENT FILED A RESPONSE ON DECEMBER 27, 2013; MOTION DENIED DECEMBER 30, 2013.  
**HEARING SCHEDULED FOR 1/16/14 WAS CANCELED FOLLOWING SETTLEMENT; TERMS OF SETTLEMENT ARE:** \$2,000 administrative fine with \$1,000 suspended for twelve (12) months pending none of the above-referenced violations, the license to sell alcohol shall be suspended for eleven (11) days held in abeyance for twelve (12) months pending no like violation of RSA 179:5, I, four (4) points shall be assessed to the liquor license, the Licensee shall attend a Management Training Seminar (MTS) within thirty (30) days from the date of adjudication, all servers who have not attended a Total Education in Alcohol Management (TEAM) seminar within the last six (6) months shall do so within thirty (30) days from the date of adjudication; all new employees shall attend TEAM within thirty (30) days of their date of hire, the Licensee shall file with the Division of Enforcement & Licensing an affidavit for each newly hired employee within fifteen (15) days of their date of hire, upon adjudication, hours of operation shall be reduced to last call at 10:00 p.m. during weekdays and 10:30 p.m. on weekends, and service and consumption of alcohol shall cease at 10:30 p.m. and 11:00 p.m. respectively for a period of 30 days at which time an examination shall be conducted by a Liquor Investigator to determine whether this restriction should remain in place or be adjusted; if adjusted, hours of operation shall be extended to last call at 11:00 p.m. on weekdays and 11:30 p.m. on weekends and service and consumption of alcohol shall cease at 11:30 p.m. and 12:00 a.m. respectively for a period of 30 days upon which time an examination shall be conducted by a Liquor Investigator to determine whether this restriction should remain in place or be adjusted; if adjusted, hours of operation shall be extended to last call at 12:00 a.m. on weekdays and 12:30 a.m. on

weekends and service and consumption of alcohol shall cease at 12:30 a.m. and 1:00 a.m. respectively for a period of 60 days upon which time an examination shall be conducted by a Liquor Investigator to determine whether this restriction should remain in place or be adjusted; if adjusted, full license privileges in terms of hours of operation shall be restored, Raymond Fredericksen shall not work in a management and/or Person-In-Charge capacity or in any position to sell, serve, or otherwise handle alcoholic beverages, however, the licensee is not precluded from requesting modification and a complete copy of the House Policies shall be provided to the Division of Enforcement & Licensing within twenty (20) days from the date the approval of this agreement.

- b. Cobblestone Ale House, 151 Main Street, Keene, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1394603 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 179:35 – failed to retain sales slips on the premises or readily available for examination by the commission or its liquor investigators for a period of sixty (60) days.  
Date of violations: August, 3, 2013 & November 22, 2013.  
Case #: 13-212-OF & 123-381-OF.  
For violation of RSA 179:5, I, a \$500 administrative fine to come forward from a violation adjudicated on January 9, 2013, \$1,000 administrative fine with \$500 held in abeyance for twelve (12) months pending no like violation, the license to sell alcohol suspended for five (5) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing January 18, 2014 with re-grant January 22, 2014, four (4) points shall be assessed to the liquor license & mandatory attendance at a Management Training Seminar (MTS) within thirty (30) days of adjudication for the licensee; for violation of RSA 179:35, an administrative fine of \$250 held in abeyance for twelve (12) months pending no like violation, no penalties suspended or held in abeyance in this agreement shall come forward relative to an incident involving an aggravated DWI that occurred on October 25, 2013 in Roxbury, NH, Division of Enforcement & Licensing Case #13-361-OF.
- c. Hinsdale VFW Post 4234, 66 Main Street, Hinsdale, NH.  
Veterans Club License #6439 licensed pursuant to RSA 178:22, V(h).  
Cited for violation of RSA 179:50, I – allowed the premises to be used for a purpose contrary to law.  
Date of violation: December 5, 2013.  
Case #: 13-401-OF.  
Nol proessed.
- d. Penuche's Ale House, 91 Marlboro Street, Keene, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #440103 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:17 – allowed the sale and consumption of alcoholic beverage on the premise after the expiration of the serving hour.  
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 178:21, II(a)(1) – failed to have full course meals readily available, promoted and served to tables.  
Dates of violations: March 1, 2013, May 4, 2013, August, 31, 2013 & September 20, 2013.  
Case #: 13-65-OF, 13-143-OF, 13-235-OF, 13-276-OF & 13-403-OF.  
MOTION TO CONTINUE HEARING ON DECEMBER 19, 2013 FILED BY LICENSEE ON DECEMBER 2, 2013 AND GRANTED; HEARING RESCHEDULED FOR JANUARY 16, 2014 AT 9:30 A.M.  
For violations of RSA 179:5, I, an administrative fine of \$1,000 with \$500 suspended for twelve (12) months pending no like violation, the license to sell alcohol shall be suspended for five (5) days with two (2) days held in abeyance for twelve (12) months pending no like violation commencing January 18, 2014 with re-grant on January 21, 2014; four (4) points shall be assessed to the liquor license, for

violations of RSA 178:21, II (a)(1), an administrative fine of \$100, for violation of 179:51, an administrative fine of \$250 suspended for twelve (12) months pending no like violation and for violation of 179:17, an administrative fine of \$250 suspended for twelve (12) months pending no like violation.

- e. Penuche's Ale House, 16 Bicentennial Square, Concord, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1092203 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 2 counts.  
Date of violations: August, 18, 2012.  
Case #: 12-282-OF.  
MOTION TO CONTINUE HEARING ON DECEMBER 19, 2013 FILED BY LICENSEE ON DECEMBER 2, 2013 AND GRANTED; HEARING RESCHEDULED FOR JANUARY 16, 2014 AT 10:30 A.M.  
An administrative fine of \$3,000 with \$750 suspended for twelve (12) months pending no like violation, the license to sell alcohol shall be suspended for three (3) days to come forward from violations adjudicated on January 11, 2012 and an additional four (4) day suspension shall be held in abeyance for twelve (12) months pending no like violation commencing January 18, 2014 with re-grant on January 21, 2014; four (4) points shall be assessed to the liquor license and mandatory attendance at a Total Education In Alcohol Management (TEAM) seminar for all servers.
- f. UPS, 55 Glenlake Parkway, Atlanta, GA.  
Carrier-Beverage/Wine/Liquor License #748116 licensed pursuant to RSA 178:14.  
Cited for violation of RSA 178:27, II – shipped into an area of the state where alcohol may not be lawfully sold.  
Cited for violation of RSA 179:5, I/Liq. 1104.06 – shipped alcohol for a vendor on the seizure list – 3 counts.  
Dates of violations: Numerous dates in 2013.  
Case #: 13-285-OF, 13-286-OF, 13-287-OF, 13-288-OF & 13-331-OF.  
\$850 administrative fine, verbal warnings for all other violations referenced in these cases and no penalties suspended or held in abeyance shall come forward.
- g. UR 1<sup>st</sup> Stop Convenience, 49 Amoskeag Street, Manchester, NH.  
Combination Off-Premises Beverage/Wine/Tobacco #3202647 licensed pursuant to RSA 178:18/RSA 126-K:4.  
Date of violation: July 2, 2013.  
Case #: 13-190-OF.  
Five (5) day suspension of liquor license commencing January 25, 2014 with re-grant January 30, 2014 and mandatory attendance at a Management Training Seminar (MTS) for licensees Shahina Talukder and Mostaque Talukder.

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

- a. Bernie's Evolution, 522 Amherst Street, Nashua, NH.  
Restaurant Full Service With Lounge License #1465003 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.  
Date of violation: December 12, 2013.  
Case #: 13-409-OF.  
\$250 administrative fine paid.

- b. Cobblestone Ale House, 151 Main Street, Keene, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1394603 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.  
Date of violation: October 30, 2013.  
Case #: 13-348-OF.  
\$250 administrative fine paid.
- c. Crazy Camel, 245 Maple Street, Manchester, NH.  
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #402006 licensed pursuant to RSA 178:20-a.  
Cited for violation of RSA 179:40, II – refilled bottles of legally purchased beverage or liquor.  
Date of violation: December 27, 2013.  
Case #: 14-1-OF.  
\$250 administrative fine paid.
- d. Derry Pizza & Restaurant, 111 West Broadway, Derry, NH.  
Restaurant Full Service With Lounge License #347103 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 179:40, II – refilled bottles of legally purchased beverage or liquor.  
Date of violation: January 3, 2014.  
Case #: 14-6-OF.  
\$250 administrative fine paid.
- e. Fang Chen's Restaurant, 122 East Broadway, Derry, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1184703 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:40, II – refilled bottles of legally purchased beverage or liquor.  
Date of violation: January 3, 2014.  
Case #: 14-5-OF.  
\$250 administrative fine paid.
- f. Loudon Village Country Store, 40 South Village Road, Loudon, NH.  
Combination Off-Premises Beverage/Wine/Tobacco #3294047 licensed pursuant to RSA 178:18/RSA 126-K:4.  
Cited for violation of Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.  
Date of violation: December 4, 2013.  
Case #: 13-397-OF.  
\$100 administrative fine paid.
- g. Martha's, 179-185 Main Street, Nashua, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #2000815 licensed pursuant to RSA 178:21.  
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.  
Date of violation: December 14, 2013.  
Case #: 13-410-OF.  
\$100 administrative fine paid.
- h. Plymouth House Of Pizza and Restaurant, 45 Main Street, Plymouth, NH.  
Restaurant Full Service With Lounge License #268003 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.  
Date of violation: October 6, 2013.  
Case #: 13-305-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:**

Legacy Holdings LLC DBA Ramunto's Brick Oven Pizza – Flash Fired,  
314 Washington Street, Claremont, NH 03743.  
Issued Restaurant On-Premise Beverage/Wine License #1472403 pursuant to RSA 178:20.

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

**TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING JANUARY 21, 2014: 1,046**

- a. Federal Spice Corp. DBA Moat Mountain Brewing Company, 9 Limmer Lane, Intervale, NH 03845.  
Issued Beverage Manufacturer License #290018 pursuant to RSA 178:12.
- b. Jinta Vineyards and Winery LLC DBA Jinta Vineyards and Winery,  
6700 Balfour Road, Brentwood, CA 94513.  
Issued Direct Shipper Permit #8216933 pursuant to RSA 178:27.
- c. Kelsen Brewing Company LLC, 80 North High Street, Unit #3, Derry, NH 03038.  
Issued Beverage Manufacturer License #289918 pursuant to RSA 178:12.
- d. Shady Ladies DBA Girls Gone Wine, 10219 N.US HWY 259, Broken Bow, OK 74728.  
Issued Direct Shipper Permit #8217033 pursuant to RSA 178:27.
- e. Stoneface Brewing Co. LLC, 436 Shattuck Way #6, Newington, NH 03801.  
Issued Beverage Manufacturer License #290218 pursuant to RSA 178:12.

**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 (v).  
Requested approval for authorization of other areas, to wit, an outside extension to a stockade deck  
from now until April, 2014 pursuant to RSA 178:24 and Liq. 404.05.

- b. 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.  
Requested approval for authorization of other areas, to wit, an outside area with a capacity of 2,500 on January 25, 2013 from 12:00 pm to 5:00 pm pursuant to RSA 178:24 and Liq. 404.05.
- c. RM Resort Management LLC, 620 Ragged Mountain Road, Danbury, NH 03230.  
Sports Recreation Facility On-Premise Cocktail Lounge License #6016905 licensed pursuant to RSA 178:22, V.  
Requested approval for other areas, to wit, an outside "Yurt" area with a capacity of 40 now through April 6, 2014 pursuant to RSA 178:24 and Liq. 404.05.
- d. RT NH Restaurant Holdings LLC DBA Ruby Tuesday,  
1500 South Willow Street, Manchester, NH 03103.  
Restaurant On-Premise Cocktail Lounge License #1223803 licensed pursuant to RSA 178:22, V(q).  
Requested approval for authorization to transfer alcohol products to another licensed premise, to wit, transfer product from 1500 South Willow Street, Manchester, NH, License #1223803 to 327 Loudon Road, Concord, NH, License #1232603 on January 13, 2014 pursuant to RSA 178:29, VIII.
- e. RT NH Restaurant Holdings LLC DBA Ruby Tuesday,  
99 Rockingham Park Blvd., Salem, NH 03079.  
Restaurant On-Premise Cocktail Lounge License #1224003 licensed pursuant to RSA 178:22, V(q).  
Requested approval for authorization to transfer alcohol products to another licensed premise, to wit, transfer product from 99 Rockingham Park Blvd., Salem, NH, License #1224003 to 275 Amherst Street, Nashua, NH, License #1223903 on January 13, 2014 pursuant to RSA 178:29, VIII.

**12. NOTIFICATION OF FELON EXCEPTIONS:**

- a. Loyal Order Of Moose, 170 North State Street, Concord, NH.  
Social Club License #14101 licensed pursuant to RSA 178:22, V(h).  
Requested approval for a Felon Exception for James Hugron as an Executive Board Member pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).  
Case #: 13-247-OF.  
Exception denied.
- b. Red Parka Steakhouse & Pub, Route 302, Glen, NH.  
Restaurant Full Service With Lounge License #301503 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Requested approval for a Felon Exception for Seth Allen as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).  
Case #: 13-384-OF.  
Exception approved.
- c. T-Bones Bedford, Buffalo Wild Wings, 25 South River Road, Bedford, NH.  
Restaurant Full Service With Lounge License #1353203 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Requested approval for a Felon Exception for Timothy D. Wood as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).  
Case #: 13-387-OF.  
Exception approved.

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

Wally's Pub, 144 Ashworth Avenue, Hampton, NH.  
Restaurant Full Service With Lounge License #1286503 licensed pursuant to  
RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 179:23, IV – failed to have an affidavit for the person to be in charge of the premises  
on file with the Commission.  
Date of violation: March 7 - 8, 2013.  
Case #s: 13-78-OF & 13-79-OF.  
Hearing date: October 17, 2013.  
DECISION AND ORDER DATED OCTOBER 23, 2013: \$2,000 ADMINISTRATIVE FINE WITH \$1,000  
SUSPEND FOR 12 MONTHS PENDING NO LIKE VIOLATION, 10-DAY SUSPENSION OF LIQUOR  
LICENSE WITH 6 DAYS HELD IN ABEYANCE FOR 12 MONTHS PENDING NO LIKE VIOLATION AND  
AFFIDAVITS FOR ALL PERSONS IN CHARGE TO BE FILED WITH THE DIVISION OF ENFORCMENT &  
LICENSING WITHIN 30 DAYS; LICENSEE MAY APPEAL WITHIN 30 DAYS.  
SUSPENSION STAYED UNTIL NOVEMBER 22, 2013; IF NO APPEAL IS FILED, NEW SUSPENSION  
DATES WILL BE IMPOSED.  
LICENSEE'S REQUEST FOR APPEAL RECEIVED ON NOVEMBER 22, 2013.  
**DECISION ON APPEAL PENDING.**

**14. HEARING RESULTS:**

None

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

None

**16. EXECUTIVE SESSION ITEMS:**

None