

**NHLC – DIVISION OF ENFORCEMENT – AGENDA  
FOR WEDNESDAY, FEBRUARY 19, 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

**PUBLIC HEARING TO BE HELD AT STRATHAM MUNICIPAL CENTER, 10 BUNKER HILL AVENUE,  
STRATHAM, NH:**

**February 19, 2014 @ 11:30 a.m.:**

- a. Jade Palace, 28 Portsmouth Avenue, Stratham, NH.  
Issuance of a liquor license.

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

**February 20, 2014 @ 11:00 a.m.:**

- 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.**

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

- c. 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.

**March 20, 2014 @ 11:00 a.m.:**

- d. Henniker Junction Restaurant, 24 Weare Road, Henniker, NH.  
Restaurant Full Service With Lounge License #1167803 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).  
Cited for violation of RSA 178:3 – the licensee leaves substantial doubt that the business shall be operated in strict accordance with all applicable state and federal alcoholic beverage control laws and rules.  
Date of violation: August 5, 2013.  
Case #: 13-205-OF.

**March 20, 2014 @ 1:30 p.m.:**

- e. Cartelli's Bar & Grill, 446 Central Avenue, Dover, NH.  
Restaurant Full Service With Lounge License #1264003 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.  
Date of violation: December 12-13, 2011.  
Case #s: 11-562-OF.

**March 20, 2014 @ 2:30 p.m.:**

- f. Cartelli's Bar & Grill, 446 Central Avenue, Dover, NH.  
Restaurant Full Service With Lounge License #1264003 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 – 2 counts.  
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.  
Dates of violations: June 8, 2013.  
Case #s: 13-167-OF.

**Date to be determined:**

- g. **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. 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/Liq. 1104.06 – shipped alcohol for a vendor on the seizure list - 15 counts.  
Dates of violations: August 23, 2013 & October 24, 2013.  
Case #s: 13-226-OF, 13-227-OF, 13-328-OF & 13-329-OF.  
\$1,500 administrative fine for 6 counts & a verbal warning for 1 count; all other counts are not processed.

- b. FedEx Ground, 1000 FedEx Drive, Moon Township, PA.  
Carrier-Beverage/Wine/Liquor License #745916 licensed pursuant to RSA 178:14.  
Cited for violation of RSA 179:5, I/Liq. 1104.06 – shipped alcohol for a vendor on the seizure list  
- 18 counts.  
Dates of violations: August 27, 2013 & October 29, 2013.  
Case #: 13-229-OF, 13-230-OF, 13-231-OF, 13-332-OF & 13-333-OF.  
\$500 administrative fine for 2 counts; all other counts are nol prossed.
- c. My Friend's Bar & Grill, 507 Maple Street, Manchester, NH.  
Restaurant Full Service With Lounge License #1392403 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.  
Date of violation: October 3, 2013.  
Case #: 13-291-OF.  
An administrative fine of \$500, four (4) points assessed to the liquor license, the license to sell alcohol  
suspended for three (3) days in the cocktail lounge only commencing February 18, 2014 with re-grant  
on February 21, 2014, mandatory attendance at a Management Training Seminar (MTS) for the  
Licensee, mandatory attendance at Total Education in Alcohol Management (TEAM) seminar for all  
servers who have not attended in the last twelve (12) months and the Licensee shall file an affidavit  
with the Division of Enforcement & Licensing on behalf of any server who does not have one on file.
- d. Vina Robles, 2425 Mission Street, San Miguel, CA.  
Direct Shipper Permit #8088233 licensed pursuant to RSA 178:27.  
Cited for violation of RSA 178:27, V – failed to report a shipment by the 15<sup>th</sup> of July, 2013.  
Date of violation: October 9, 2013.  
Case #: 13-295-OF.  
\$250 administrative fine suspended for twelve (12) months pending no like violation.

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

- a. Cherry Blossom Chinese & Japanese Restaurant, 437 Nashua Street, Milford, NH.  
Restaurant Full Service With Lounge License #1420703 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 #: 14-10-OF.  
\$250 administrative fine paid.
- b. Mobil On The Run, 82 Derry Road & Route 101, Hudson, NH.  
Combination Off-Premises Beverage/Wine/Tobacco #3265947 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 and failed to maintain a minimum  
grocery stock requirement of \$3,000.  
Date of violation: January 3, 2014.  
Case #: 14-11-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:**

- a. BRGR Bar LLC, 34 Portwalk Place, Portsmouth, NH 03801.  
Issued Restaurant On-Premise Beverage/Wine/Liquor License #1478803 pursuant to RSA 178:21.
- b. Graffiti Paintbar LLC, 2 Cellu Drive, Nashua, NH 03063.  
Issued Restaurant On-Premise Beverage/Wine License #1479103 pursuant to RSA 178:20.
- c. Sousa, Bryant, 14 Swift Lane, Merrimack, NH 03054.  
Issued Alcohol Consultant Non-Affiliated License #501544 pursuant to RSA 178:27-a.
- d. Tea Transportation, Inc., 8 Park Avenue, Hudson, NH 03051.  
Issued Carrier (Beverage, Wine, Liquor) License #754516 pursuant to RSA 178:14.

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

**TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING FEBRUARY 18, 2014: 1,052**

- a. Dennigmann Wine Group, 340 El Camino Real South, Salinas, CA 93446.  
Issued Direct Shipper Permit #8217533 pursuant to RSA 178:27.
- b. Rattlesnake Valley Farm LLP DBA Ten Spoon Vineyard & Winery,  
4175 Rattlesnake Drive, Missoula, MT 59802.  
Issued Direct Shipper Permit #8217633 pursuant to RSA 178:27.
- c. Mojdeh Shand DBA Shand Import, 1020 Mission Street, Unit H, South Pasadena, CA 91030.  
Issued Direct Shipper Permit #8217733 pursuant to RSA 178:27.
- d. CAB4TEN LLC DBA Parallel Wines, 3524 Silverado Trail, St. Helena, CA 94574.  
Issued Direct Shipper Permit #8217833 pursuant to RSA 178:27.

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

None

**11. NOTIFICATION OF APPROVED PETITIONS:**

- a. Copper Door LLC, 15 Leavy Drive, Bedford, NH 03110.  
Restaurant On-Premise Beverage/Wine/Liquor License #1439203 licensed pursuant to RSA 178:21.  
Requested approval for an outside area, to wit, an outside area with a capacity of 440 on February 9, 2014 pursuant to RSA 178:24 and Liq. 404.05.

- b. Franklin Resource Group DBA Nippo Lake Golf Club, 88 Stagecoach Road, Barrington, NH 03825. Sports Recreation Facility On-Premise Cocktail Lounge License #6017505 licensed pursuant to RSA 178:22, V(v). Requested approval for authorization of other areas, to wit, an outside area with a capacity of 32 pursuant to RSA 178:24 and Liq. 404.05.
- c. Hermit Woods, Inc., 56 Taylor Road, Sanbornton, NH 03269. Wine Manufacturer Off-Premise Wine Only License #563330 licensed pursuant to RSA 178:8. Requested approval for authorization to move the licensed premise, to wit, transfer product from 56 Taylor Road, Sanbornton, NH 03269 to 72 Main Street, Meredith, NH 03253 on February 14, 2014 pursuant to RSA 178:29, VIII.
- d. Hospitality Resources, Inc. DBA Bedford Village Inn & Restaurant, 2 Olde Bedford Way, Bedford, NH 03110. Hotel On-Premise Cocktail Lounge License #349602 licensed pursuant to RSA 178:22, V(k). Requested approval for an outside area, to wit, an outside area with a capacity of 200 on February 5, 2014 through February 8, 2014 pursuant to RSA 178:24 and Liq. 404.05.
- e. Loon Mountain Recreation Co. DBA Loon Mountain Ski Area, Octogon Lodge Café, 60 Loon Mountain Road, Lincoln, NH 03251. Restaurant On-Premise Beverage/Wine License #284805 licensed pursuant to RSA 178:20. Requested approval for authorization of other areas, to wit, extend to Governor's Lodge a fenced-in patio area with a capacity of 50 on March 2, 2014 and March 3, 2014 from 10:00 am to 3:00 pm pursuant to RSA 178:24 and Liq. 404.05.
- f. Milano House of Pizza, Inc., 1 Broad Street, Nashua, NH 03064. Restaurant On-Premise Beverage/Wine/Liquor License #309203 licensed pursuant to RSA 178:21. Requested approval to keep invoices at other location, to wit, to keep alcoholic invoices at a home office located at 122 Amherst Street, Nashua, NH 03064 pursuant to RSA 179:35.
- g. Upper Valley Snow Sports Foundation, 160 Whaleback Mountain Road, Enfield, NH 03748. Sports Recreation Facility On-Premise Cocktail Lounge License #6017405 licensed pursuant to RSA 178:22, V(v). Requested approval for authorization of other areas, to wit, an outside area with a capacity of 390 on February 21, 2014 pursuant to RSA 178:24 and Liq. 404.05.

**12. FELON EXCEPTIONS FOR COMMISSION APPROVAL:**

El Mariachi, 14 Union Street, Wolfeboro, NH.  
Restaurant On-Premise Beverage/Wine/Liquor License #1423903 licensed pursuant to RSA 178:21.  
Requested approval for a Felon Exception for Kerri Guay as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).  
Case #: 13-248-OF.  
Recommendation: **DENIAL.**

**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 #: 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.

**AWAITING MEDICAL RECORD FROM LICENSEE.**

**14. HEARING RESULTS:**

None

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

Blue Lobster Brewing Company LLC, 845 Lafayette Road, Unit 6, Hampton, NH 03842.

Nano Brewery, Beer and/Specialty Beer License #200522 licensed pursuant to RSA 178:12-a.

Requests approval of Last Call Belgian Stout with an alcohol content of 13.4% at 60 degrees Fahrenheit by volume pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.

Recommendation: Approval.

**16. EXECUTIVE SESSION ITEMS:**

None