

NHLC – DIVISION OF ENFORCEMENT – AGENDA
FOR WEDNESDAY, JUNE 25, 2014

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

None

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

July 17, 2014 @ 10:00 a.m.:

- a. 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.
LICENSEE FILED A MOTION TO CONTINUE MARCH 20, 2014 HEARING; MOTION GRANTED.
HEARING POSTPONED UNTIL JULY, 2014.

July 17, 2014 @ 11:00 a.m.:

- b. Loyal Order of Moose, 170 North State Street, Concord, NH.
Social Club License #14101 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 179:23, IV and VI – allowed a convicted felon to work longer than 60 days without obtaining a waiver.
Date of violation: November 14, 2013.
Case #: 13-247-OF.

July 17, 2014 @ 2:00 p.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.
LICENSEE FILED A MOTION TO CONTINUE MARCH 20, 2014 HEARING; MOTION GRANTED.
HEARING POSTPONED DUE TO UNAVAILABILITY OF LICENSEE.

August 21, 2014 @ 10:00 a.m.:

- d. Ed's Crossroads Pizza & Subs, 64 Gilsum Road, Surry, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1406003 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: January 5, 2013.
Case #: 13-14-OF.

August 21, 2014 @ 10:30 a.m.:

- e. T-Bird Mini Mart, 595 Sunapee Road, Newport, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3008447 licensed pursuant to RSA 178:18/RSA 126-K:4.
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: August 23, 2013.
Case #: 13-233-OF.

Date to be determined:

- f. La Carreta – Derry, 35 Manchester Road, Derry, NH.
Restaurant Full Service With Lounge License #1310303 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 30, 2011.
Case #: 12-327-OF.
MOTION TO CONTINUE FILED BY THE LICENSEE.

2. NOTIFICATION OF DISCIPLINARY ACTION:

- a. Hong Kong Gardens, 81 Main Street, Plymouth, NH.
Restaurant Full Service With Lounge License #432403 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
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.
Cited for violation of RSA 178:22 – allowed consumption of alcohol on the premises that was not sold by the licensee.
Cited for violation of Liq. 603.06 – failed to comply with requirements of a Commission order.
Date of violations: April 4, 2014.
Case #: 14-132-OF.
The licensee shall pay an administrative fine of \$2,000 suspended for twelve (12) months pending no violation of RSA179:5, I relative to over-service of alcohol, the license to sell alcohol in the cocktail lounge only shall be suspended for thirty (30) days with twenty-five (25) days held in abeyance for twelve (12) months pending no like violation commencing June 26, 2014 with re-grant on July 1, 2014 & house policies shall be submitted to the Division of Enforcement no later than July 1, 2014.
- b. Imperial Buffet & Lounge, 154 Washington Street, Claremont, NH.
Restaurant Full Service With Lounge License #1301603 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 – 3 counts with 2 assaults.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Dates of violations: September 14, 2013, January 12, 2014 & May 4, 2014.
Case #s: 13-259-OF, 14-14-OF & 14-173-OF.
\$2,500 fine with \$500 suspended for twelve (12) months pending no like violation, eight (8) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended in the cocktail lounge only for ten (10) days with three (3) days held in abeyance for twelve (12) months pending no like violation commencing July 7, 2014 with re-grant on July 14, 2014, Shan Yang and Yan Qui Wang shall

attend a Management Training Seminar (MTS) within thirty (30) days of the date of approval of this agreement, all servers shall attend a Total Education in Alcohol Management (TEAM) seminar within thirty (30) days of the date of approval of this agreement; for violation of RSA 179:51, an administrative fine of \$250.

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

None

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Asian House, Inc. DBA Cherry Garden, 64 Main Street, Keene, NH 03431.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1486303 pursuant to RSA 178:21.
30-Day Temporary License issued: 6/16/2014.
Recommendation: Approval.
- b. Cumberland Farms, Inc., 99 Calef Highway, Epping, NH 03042.
To be issued Combination Off-Premises Beverage/Wine/Tobacco License #3316647 pursuant to RSA 178:18/RSA 126-K: 4.
30-Day Temporary License issued: 6/19/2014.
Recommendation: Approval.
- c. D & S West Lebanon LLC DBA Moe's Southwest Grill West Lebanon,
250 Plainfield Road, West Lebanon, NH 03784.
To be issued Restaurant Beverage and Wine License #1488003 pursuant to RSA 178:20.
30-Day Temporary License issued: 6/13/2014.
Recommendation: Approval.
- d. Deacon Street LLC, 32 Seavey, North Conway, NH 03860.
To be issued Restaurant On-Premise Cocktail Lounge License #1487403 pursuant to RSA 178:22.
30-Day Temporary License issued: 6/18/2014.
Recommendation: Approval.
- e. Lillianas Diner LLC, 43 Ashworth Avenue, Hampton, NH 03842.
To be issued Restaurant Beverage and Wine License #1489803 pursuant to RSA 178:20.
30-Day Temporary License issued: 6/20/2014.
Recommendation: Approval.
- f. Little Grill LLC (The) DBA Little Grille's Comida Mexicana, 50 Smith Street, Woodsville, NH 03785.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1487103 pursuant to RSA 178:21.
30-Day Temporary License issued: 6/17/2014.
Recommendation: Approval.
- g. Mad River Coffee Roasters LLC, 18 Six Flags Road, Campton, NH 03223.
To be issued Restaurant Beverage and Wine License #1477103 pursuant to RSA 178:20.
30-Day Temporary License issued: 6/18/2014.
Recommendation: Approval.

- h. Moonshine Catering LLC DBA Chen's Garden, 956 Second Street, Manchester, NH 03102.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1489403 pursuant to RSA 178:21.
30-Day Temporary License issued: 6/19/2014.
Recommendation: Approval.
- i. Rumney Rocks Bistro LLC, 27 Main Street, Rumney, NH 03266.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1487103 pursuant to RSA 178:21.
30-Day Temporary License issued: 6/16/2014.
Recommendation: Approval.
- j. Seacoast Science Center, Inc., 570 Boulevard, Rye, NH 03870.
To be issued one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor licenses pursuant to RSA 178:20, II.
Recommendation: Approval.
- k. Seacoast Science Center, Inc., 570 Boulevard, Rye, NH 03870.
To be issued one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor licenses pursuant to RSA 178:20, II.
Recommendation: Approval.
- l. Sunny's of Lee LLC, 250 Calef Highway Lee, NH 03861.
To be issued Restaurant Beverage and Wine License #1487903 pursuant to RSA 178:20.
30-Day Temporary License issued: 6/19/2014.
Recommendation: Approval.
- m. TSORONIS, Jan DBA Temple Street Diner, 200 Temple Street, Temple, NH 03060.
To be issued Restaurant Beverage and Wine License #1491103 pursuant to RSA 178:20.
30-Day Temporary License issued: 6/19/2014.
Recommendation: Approval.
- n. Zhong's Restaurant LLC, 559 Daniel Webster Highway, Merrimack, NH 03054.
To be issued Restaurant On-Premise Cocktail Lounge License #1489703 pursuant to RSA 178:22.
30-Day Temporary License issued: 6/20/2014.
Recommendation: Approval.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

6. SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING JUNE 23, 2014: 1,080

- a. Banshee Wines LLC DBA Valkyrie Selections, 110 Camino Oruga, Napa, CA 94558.
Direct Shipper Permit pending approval.
- b. Cellar Rat Cellars LLC DBA Cartograph, 1160 Hopper Avenue, Santa Rosa, CA 95403.
Direct Shipper Permit pending approval.

- c. Dee Vine Wines, Inc., 34 Big Tree Way, Woodside, CA 94062.
Direct Shipper Permit pending approval.
- d. EMERSON, Amy, 653 Waits River Road, Bradford, VT 05033.
To be issued Alcohol Consultant Direct Shipper Affiliated Permit pursuant to RSA 178:27-a
Direct Shipper: ITO Wines, Inc.
30-Day Temporary License issued: 6/19/2014.
Recommendation: Approval.
- e. JENKINS, Paula, 26 Tanglewood Drive, East Hampstead, NH 03826.
To be issued Alcohol Consultant Direct Shipper Affiliated Permit pursuant to RSA 178:27-a
Direct Shipper: ITO Wines, Inc.
30-Day Temporary License Issued: 6/16/2014.
Recommendation: Approval.
- f. KERLEY, Siobhan, 6 Glen Forest Drive, Merrimack, NH 03054.
To be issued Alcohol Consultant Direct Shipper Affiliated Permit pursuant to RSA 178:27-a.
Direct Shipper: ITO Wines, Inc.
30-Day Temporary License issued: 6/16/2014.
Recommendation: Approval.

7. SOLICITORS/REPRESENTATIVE & DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. CANCELLATION OF PERMITS FOR COMMISSION APPROVAL:

None

9. NOTIFICATION OF APPROVED PETITIONS:

- a. Albright, Thomas DBA Out.Haus Ales, 49 Lucas Pond Road, Northwood, NH 03261.
Nano Brewery, Beer and/or Specialty Beer License #201322 licensed pursuant to RSA 178:12-a.
Date petition received: 6/16/14.
Requested approval for authorization of other areas, to wit, Town of Northwood Farmers' Market, Junction of Routes 4 and 202, Northwood, NH between 3:00 p.m. and 6:30 p.m. from June, 2014 to October, 2014 pursuant to RSA 178:24 and Liq. 404.05.
- b. BRGR Bar LLC, 34 Portwalk Place, Portsmouth, NH 03801.
Restaurant On-Premise Beverage/Wine/Liquor License #1478803 licensed pursuant to RSA 178:21.
Date petition received: 6/18/2014.
Requested approval for authorization of other areas, to wit, an outside patio area with a capacity of 30 pursuant to RSA 178:24 and Liq. 404.05.
- c. Cumberland Farms, Inc., Route 125, Epping, NH 03042.
Combination Off-Premise Beverage/Wine/Tobacco License #776547 licensed pursuant to RSA 178:18.
Date petition received: 6/17/14.
Requested approval for authorization to transfer alcohol inventory from Route 125, Epping, NH to Cumberland Farms, 258 High Street, Somersworth, NH, License #865947, due to the store closing on June 19, 2014 pursuant to RSA178:29, VIII.

- d. 405 Pub & Grill LLC, 405 Union Avenue, Laconia, NH 03246.
Restaurant On-Premise Beverage/Wine/Liquor License #1475603 licensed pursuant to RSA 178:21.
Date petition received: 6/10/2014 - late by 8 days.
Requested approval for authorization of other areas, to wit, an outside tented area with a capacity of 24 from June 13, 2014 through June 22, 2014 pursuant to RSA 178:24 and Liq. 404.05.
- e. Hermit Woods, Inc., 72 Main Street, Meredith, NH 03253.
Wine Manufacturer License #563330 licensed pursuant to RSA 178:8.
Date petition received: 6/18/14.
Requested approval for authorization of other areas, to wit, Town of Laconia Farmers' Market, Municipal Parking Lot, Laconia, NH between 4:00 p.m. and 7:00 p.m. from June, 2014 through September, 2014 pursuant to RSA 178:24 and Liq. 404.05.
- f. Rumney Rocks Bistro LLC, 27 Main Street, Rumney, NH 03266.
Restaurant On-Premise Beverage/Wine/Liquor License #1487103 licensed pursuant to RSA 178:21.
Date petition received: 6/16/2014.
Requested approval for authorization of other areas, to wit, an outside patio area with a capacity of 18 pursuant to RSA 178:24 and Liq. 404.05.
- g. 7th Settlement Brewery LLC, 47 Washington Street, Dover, NH 03820.
Brew Pub On-Premise Cocktail Lounge License #2002015 licensed pursuant to RSA 178:13.
Date petition received: 6/11/14.
Requested approval for authorization of other areas, to wit, Town of Durham Farmers' Market, Town Hall Parking Lot, Durham, NH between 2:15 p.m. and 6:00 p.m. from June, 2014 through October, 2014 pursuant to RSA 178:24 and Liq. 404.05.
- h. TL & G LLC DBA Villa Banca, 194 Main Street, Nashua, NH 03060.
Restaurant On-Premise Cocktail Lounge License #1066603 licensed pursuant to RSA 178:22.
Date petition received: 6/6/2014.
Requested approval for authorization of other areas, to wit, an outside street area with a capacity of 200 on June 18, 2014 and August 6, 2014 pursuant to RSA 178:24 and Liq. 404.05.

10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

11. NOTIFICATION OF ALCOHOL COMPLIANCE CHECKS:

None

12. HEARING RESULTS:

None

13. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

None