

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR WEDNESDAY, JULY 23, 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:

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

- a. 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.

October 16, 2014 @ 9:30 a.m.:

- b. Jade Dragon, 515 DW Highway, Merrimack, NH.
Restaurant Full Service With Lounge License #1341903 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.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Dates of violations: August 18, 2012 & November 16, 2013.
Case #: 12-232-OF & 13-365-OF.

Date to be determined:

- c. 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. Don Quijote Restaurant, 333 Valley Street, Manchester, NH.
Restaurant Full Service With Lounge License #1299403 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: December 21, 2013.
Case #: 14-48-OF.
An administrative fine of \$2,000 suspended for twelve (12) months pending no like violation and the Licensee(s) and all managers shall attend a Management Training Seminar (MTS) within thirty (30) days of the date of approval of this agreement.
COMMISSION ACKNOWLEDGED; DEPUTY COMMISSIONER MILLIGAN INFORMED THE LICENSEE THAT HE SHOULD REQUEST ASSISTANCE FROM THE COMMISSION WHEN HE NEEDS IT; TRAINING IS AVAILABLE AND THE COMMISSION WILL DO WHATEVER ELSE IT

CAN TO HELP HIM BE SUCCESSFUL; MATTERS INVOLVING FIGHTING AND GUNS ON THE PREMISES WILL NOT BE TOLERATED; THE LICENSEE STATED THAT HIS ENTIRE STAFF WILL BE TAKING COMMISSION-SPONSORED TRAINING; HE HAS TAKEN PRECAUTIONS TO PROMOTE SAFETY BOTH INSIDE THE ESTABLISHMENT AND IN THE PARKING LOT.

- b. Striker's East, 4 Essex Drive, Raymond, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1240903 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: November 8, 2013.
Case #: 13-352-OF.
A \$500 administrative fine, four (4) points shall be assessed to the liquor license, 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 July 25, 2014 with re-grant on July 28, 2014 and the servers responsible for the violation shall attend a Total Education in Alcohol Management (TEAM) seminar within thirty (30) days of the date of approval of this agreement.
COMMISSION ACKNOWLEDGED.

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

- a. Lost Vineyards, 23-38 Ganson Avenue RML, Batavia, NY.
Direct Shipper Permit #8117233 licensed pursuant to RSA 178:27.
Cited for violation of RSA 178:27, V – failed to report a shipment by the 10th of the following month.
Date of violation: December 27, 2010.
Case #: 10-676-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. Tandy's Top Shelf, 1 Eagle Square, Concord, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1404103 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.
Date of violation: July 6, 2014.
Case #: 14-235-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- c. Wolfeden, 31 Bay Street, Wolfeboro, NH.
Caterer-Off-Site License #1279234 licensed pursuant to RSA 178:22, V(e).
Cited for violation of Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: June 3, 2014.
Case #: 14-208-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. AGR Foodmart, Inc. DBA Nashua Road Mobil, 11 Nashua Road, Londonderry, NH 03053.
To be issued Retail Tobacco License #131617 pursuant to RSA 178:19-a.
30-Day Temporary License issued: 7/16/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED APPROVAL; THE MOTION PASSED.

- b. Bella Napoli Pizzeria & Trattoria LLC, 139 Main Street, Pembroke, NH 03275.
To be issued Restaurant On-Premise Beverage & Wine License #1491503 pursuant to RSA 178:20.
30-Day Temporary License issued: 7/11/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED APPROVAL; THE MOTION PASSED.
- c. Colwen Management, Inc. DBA Portsmouth Harbor Café, 23 Portwalk Place, Portsmouth, NH 03801.
To be issued Restaurant On-Premise Cocktail Lounge License #1483703 pursuant to RSA 178:22.
30-Day Temporary License issued: 7/16/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED APPROVAL; THE MOTION PASSED.
- d. Drink 2 A Day Worth Living LLC DBA The Drinkery, 29 East Broadway, Derry, NH 03038.
To be issued Combination Beverage/Wine/Tobacco License #3314247 pursuant to RSA 178:18/RSA 126-K: 4.
30-Day Temporary License issued: 7/14/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED APPROVAL; THE MOTION PASSED.
- e. Rotary Club of Hampton, Hampton Beach State Park, 150 Ocean Boulevard, Hampton, NH 03842.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED APPROVAL; THE MOTION PASSED.
- f. TJ's Publick House LLC, 45 North Main Street, Rochester, NH 03867.
To be issued Restaurant On-Premise Cocktail Lounge License #1492003 pursuant to RSA 178:22.
30-Day Temporary License issued: 7/14/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED APPROVAL; THE MOTION PASSED.
- g. Transcendental Spirits LLC DBA Tamworth Distillery, 15 Cleveland Hill Road, Tamworth, NH 03886.
To be issued Liquor Manufacturer License #287819 pursuant to RSA 178:6.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED APPROVAL; THE MOTION PASSED.
- h. Turismo LLC, 55 Henniker Street, Unit 1, Hillsborough, NH 03244.
To be issued Restaurant On-Premise Beverage, Wine & Liquor License #1492903 pursuant to RSA 178:21.
30-Day Temporary License issued: 7/16/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED APPROVAL; THE MOTION PASSED.
- i. Walpole Historical Society, Hooper Golf Course, Prospect Hill, Walpole, NH 03608.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED APPROVAL; THE MOTION PASSED.

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 JULY 21, 2014: 1,091

- a. MJA Vineyards, 328A Ingalls Street, Santa Cruz, CA 95060.
Direct Shippers permit pending approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED APPROVAL; THE MOTION PASSED.
- b. Tall Ship Distillery LLC, 32 Crosby Road, Unit 5, Dover, NH 03820.
To be issued Liquor Manufacturer License #287619 pursuant to RSA 178:6.
30-Day Temporary License issued: 7/17/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED APPROVAL; THE MOTION PASSED.
- c. Vermont Hard Cider Company, 153 Pond Lane, Middlebury, VT 05753.
To be issued Beverage Vendor License #71531 pursuant to RSA 178:15.
Manufacturer: Bockhold NV Reppelerwet 1 3950 Bocholt Belgium.
30-Day Temporary License issued: 7/11/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED APPROVAL; THE MOTION PASSED.

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. Brenamb LLC DBA Village Trestle, 25 Main Street, Goffstown, NH 03045.
Restaurant On-Premise Beverage/Wine/Liquor License #1455303 licensed pursuant to RSA 178:21.
Date petition received: 7/10/2014.
Requested approval for authorization of other areas, to wit, an outside tented area with a capacity of 65 on July 26, 2014 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Mallett Corporation DBA Wentworth Resort Golf Club, Route 16-a, Jackson, NH 03846.
Sports Recreation Facility On-Premise Cocktail Lounge License #395405 licensed pursuant to RSA 178:22.
Date petition received: 7/08/2014.
Requested approval for authorization of other areas, to wit, an outside tented area with a capacity of 215 on July 12 and July 17, 2014 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

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

Raymond, NH.

12. NOTIFICATION OF ALCOHOL COMPLIANCE CHECKS:

None

13. HEARING RESULTS:

None

14. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

Greater Nashua Chamber of Commerce, Downtown Nashua between Factory and Pearl Streets, Nashua, NH 03060.

To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.

Event date: 7/19/2014.

Recommendation: Expedited approval.

Commission approved: 7/11/2014.

For information only.

COMMISSION ACKNOWLEDGED.