

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, AUGUST 21, 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:

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

- a. 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:

- b. 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.

Date to be determined:

- c. Milanos House Of Pizza, 1 Broad Street, Nashua, NH.
Restaurant Full Service With Lounge License #309203 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 179:35 – 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: November 9 - 15, 2013.
Case #: 13-353-OF.
MOTION TO CONTINUE FILED BY LICENSEE; MOTION GRANTED 8/14/2014.

2. NOTIFICATION OF DISCIPLINARY ACTION:

- a. Golden Dragon Restaurant, 300 Main Street, Nashua, NH.
Restaurant Full Service With Lounge License #302803 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 alcoholic beverage to an underage person – 2 counts.
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.
Dates of violations: February 27, 2013 & November 1, 2013.

Case #: 13-344-OF & 14-117-OF.

\$3,000 administrative fine with \$1,000 suspended for twelve (12) months pending no like violation, eight (8) points shall be assessed to the liquor license, the license to sell alcohol in the cocktail lounge only shall be suspended for ten (10) days with three (3) days held in abeyance for twelve (12) months pending no like violation commencing August 22, 2014 with re-grant on August 29, 2014, mandatory attendance at a Management Training Seminar (MTS) by September 30, 2014 for the persons-in-charge who were on duty at the time the violations occurred and mandatory attendance at a Total Education In Alcohol Management (TEAM) seminar by September 30, 2014 for all servers.

COMMISSION ACKNOWLEDGED.

- b. 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.

\$500 administrative fine, four (4) points assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing September 4, 2014 with re-grant September 6, 2014 & Todd Matson shall attend a Total Education In Alcohol Management (TEAM) seminar in a classroom by September 30, 2014.

COMMISSION ACKNOWLEDGED.

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

- a. Nashua Road Mobil, 11 Nashua Road, Londonderry, NH.

Retail Tobacco License #131617 licensed pursuant to RSA 126-K:4.

Cited for violation of RSA 178:1, VI – sold tobacco without a license.

Date of violation: June 16, 2014.

Case #: 14-249-OF.

\$100 administrative fine paid.

COMMISSION ACKNOWLEDGED.

- b. World Famous Stateline Market, 24 Bridge Street, Pelham, NH.

Combination Off-Premises Beverage/Wine/Tobacco #686447 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: July 25, 2014.

Case #: 14-266-OF.

\$250 administrative fine paid.

COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Black Ice Pond Hockey Association, Kiwanis Park at Everett Arena, Loudon Road, Concord, NH 03301.

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 THE MOTION; THE MOTION PASSED.

- b. Black Ice Pond Hockey Association, Kiwanis Park at Everett Arena, Loudon Road, Concord, NH 03301.
To be issued a Beer Festival Beverage Only License pursuant to RSA 178:30.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Dunbarton Town Hall & Theatre Restoration Project, Town Common, 1011 School Street, Dunbarton, NH 03046.
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 THE MOTION; THE MOTION PASSED.
- d. Global Montello Group Corp. DBA Global Montello Group Chesterfield, 97 Route 9, Chesterfield, NH 03443.
To be issued Combination Beverage/Wine/Tobacco License #3315847 pursuant to RSA 178:18/RSA 126-K: 4.
30-Day Temporary License issued: 8/11/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Global Montello Group Corp. DBA Global Montello Group Newfields, 56-60 Route 108, Newfields, NH 03856.
To be issued Combination Beverage/Wine/Tobacco License #3317247 pursuant to RSA 178:18/RSA 126-K: 4.
30-Day Temporary License issued: 8/11/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. 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.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. Kempshall LLC DBA Zaboo, 24 Depot Street, Manchester, NH 03101.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1494103 pursuant to RSA 178:21.
30-Day Temporary License issued: 8/13/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- h. Mount Washington Observatory, Great Glen Trails Outdoor Center & Sherman Adams Visitor Center, 1 Mountain Washington Auto Road & 1598 Mount Washington Auto Road, Greens Grant and Sargeant's Purchase, NH 03589.
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 THE MOTION; THE MOTION PASSED.

- i. RC Gadway, Inc. DBA Federal Cigar, 36 Market Street, Portsmouth, NH 03801.
To be issued Cigar Bar On-Premise Cocktail Lounge License #402506 pursuant to RSA 178:20-a.
30-Day Temporary License issued: 8/13/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- j. Speedway Children's Charities, 20th Skeet & Clays Clubhouse, 100 Goffstown Road, Hooksett, NH 03106.
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 THE MOTION; THE MOTION PASSED.
- k. Subcrazy, Inc., 5 Mill Street, Meredith, NH 03253.
To be issued Restaurant On-Premise Beverage & Wine License #1493503 pursuant to RSA 178:20.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- l. Tano's Pizzeria LLC, 372 Kelly Street, Manchester, NH 03102.
To be issued Restaurant On-Premise Beverage & Wine License #1490903 pursuant to RSA 178:20.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- m. Tomo Steakhouse, Inc., 368 South Broadway, Salem, NH 03079.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1482803 pursuant to RSA 178:21.
30-Day Temporary License issued: 8/14/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; 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 AUGUST 18, 2014: 1,095

- a. Ancien Wines, Inc., 4047 E Third Avenue, Napa, CA 94558.
Direct Shipper Permit pending approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Banded Horn Brewing Co., Inc., 32 Main Street, Building 13-W, Biddeford, ME 04005.
To be issued Beverage Vendor License #69531 pursuant to RSA 178:15.
Manufacturer: Banded Horn Brewing Company.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Coup De Foudre LLC, 3450 Sage Canyon Road, Saint Helena, CA 94574.
Direct Shipper Permit pending approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- d. Et Fille Wines, Inc., 14000 NE Quarry Road, Newberg, OR 97132.
Direct Shipper Permit pending approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. PSP Wines of New Hampshire LLC, 24 Christina Drive, Raymond, NH 03077.
To be issued Liquor and Wine Vendor License #111845 pursuant to RSA 178:9.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. PSP Wines of New Hampshire LLC, 24 Christina Drive, Raymond, NH 03077.
To be issued Liquor and Wine Representative License #607035 pursuant to RSA 178:10.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; 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. Ackerly Restaurants LLC DBA Ackerly's Grille and Galley, 77 Main Street, Alton, NH 03809.
Restaurant On-Premise Beverage/Wine License #1383603 licensed pursuant to RSA 178:20.
Date petition received: 8/08/2014.
Requested approval for authorization of other areas, to wit, an outside patio area with a capacity of 26 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. American Citizens of Polish Descent of Newmarket, NH, Inc. DBA American Citizens of Polish Descent, 18 Central Street, Newmarket, NH 03857.
Social Club On-Premise Cocktail Lounge License #10601 licensed pursuant to RSA 178:22, V(h).
Requested approval for authorization of other areas, to wit, an outside parking lot area with a capacity of 75 on August 23, 2014 from 1:00 pm to 8:30 pm pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Appolo Vineyards LLC, 49 Lawrence Road, Derry, NH 03038.
Wine Manufacturer License #563830 licensed pursuant to RSA 178:8.
Date petition received: 8/05/2014.
Requested approval for storage in another area, to wit, to store wines in the northeast corner of the basement of a barn pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. Border Brewery LLC, 10 Lawrence Road, Salem, NH 03079.
Nano Brewery, Beer and/or Specialty Beer License #201622 licensed pursuant to RSA 178:12-a.
Date petition received: 3/10/2014.
Requested approval for authorization to transfer business location, to wit, transfer the location from 10 Lawrence Road, Salem, NH to 224 North Broadway, Salem, NH on August 18, 2014 pursuant to RSA 178:29, VIII.
COMMISSION ACKNOWLEDGED.

- e. Cumberland Farms, Inc., 151 Central Street, Woodsville, NH 03785.
Combination Off-Premises Beverage/Wine/Tobacco #876247 licensed pursuant to RSA 178:18/RSA 126-K:4.
Date petition received: 8/11/2014.
Requested approval for authorization to transfer alcohol to a new location, to wit, transfer alcohol inventory from 151 Central Street, Woodsville, NH due to the store closing to Cumberland Farms, 60 Main Street, Gorham, NH, Combination License #659647 pursuant to RSA178:29, VIII.
COMMISSION ACKNOWLEDGED.
- f. Joe's NY Pizza & Brew LLC, 888 Lafayette Road, Hampton, NH 03842.
Restaurant On-Premise Beverage/Wine/Liquor License #1089303 licensed pursuant to RSA 178:21.
Date petition received: 6/23/2014.
Requested approval for authorization of other areas, to wit, an outside patio area with a capacity of 28 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- g. Kempshall LLC DBA Zaboo, 24 Depot Street, Manchester, NH 03101.
Restaurant On-Premise Beverage/Wine/Liquor License #1494103 licensed pursuant to RSA 178:21.
Date petition received: 8/13/2014.
Requested approval for authorization of other areas, to wit, an outside patio area with a capacity of 48 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- h. MLPHN Operating LLC DBA Beara Irish Brewing Company,
2800 Lafayette Road #1, Portsmouth, NH 03801.
Nano Brewery, Beer and/or Specialty Beer License #201622 licensed pursuant to RSA 178:12-a.
Date petition received: 8/13/2014.
Requested approval for authorization of other areas, to wit, Town of Newmarket Farmers' Market at South Main Street, Newmarket, NH every Saturday between 9:00 am and 1:00 pm from August 16, 2014 to November 1, 2014 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- i. Portsmouth BBC LLC DBA British Beer Company, 103 Hanover Street, Portsmouth, NH 03801.
Restaurant On-Premise Beverage/Wine/Liquor License #1465603 licensed pursuant to RSA 178:21.
Date petition received: 8/12/2014.
Requested approval for authorization of other areas, to wit, an outside patio area with a capacity of 24 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- j. Redhook Ale Brewery, 1 Redhook Way, Portsmouth, NH 03801.
Restaurant On-Premise Cocktail Lounge License #1036603 licensed pursuant to RSA 178:22.
Date petition received: 7/17/2014.
Requested approval for authorization of other areas, to wit, two outside areas with capacities of 170 and 300 on August 16, 2014 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- k. Tacodelay LLC, 12 Gilbo Avenue, Keene, NH 03431.
Restaurant On-Premise Beverage/Wine/Liquor License #1485803 licensed pursuant to RSA 178:21.
Date petition received: 8/14/2014.
Requested approval for authorization of other areas, to wit, an outside patio area with a capacity of 16 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:

None

12. NOTIFICATION OF ALCOHOL COMPLIANCE CHECKS:

None

13. HEARING RESULTS:

None

14. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

None

15. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Beveridge Craft Beer & Soap Co., Wolfetrap Grill, 19 Bay Street Parking Lot, Wolfeboro, NH 03894.
To be issued a Beer Festival Beverage License pursuant to RSA 178:30.
Event date: 8/16/2014.
Recommendation: Expedited approval.
Commission approved on 8/11/2014.
- b. Greater Nashua Chamber of Commerce, Downtown Nashua,
Between Factory & 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: 8/16/2014.
Recommendation: Expedited approval.
Commission approved on 8/11/2014.
- c. Hudson Old Home Days Committee, Alvirne High School, 200 Derry Road, Hudson, NH 03051.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor
pursuant to RSA 178:20, II.
Event date: 8/14, 15, 16, & 17/2014.
Recommendation: Expedited approval.
Commission approved on 8/12/2014.
- d. Nashua Police Athletic League, Holman Stadium, 67 Amherst Street, Nashua, NH 03063.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor
pursuant to RSA 178:20, II.
Event date: 8/23/2014.
Recommendation: Expedited approval.
Commission approved on 8/12/2014.
- e. NH Roller Derby, John F. Kennedy Memorial Coliseum, 303 Beech Street, Manchester, NH 03103.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor
pursuant to RSA 178:20, II.
Event date: 8/16/2014.
Recommendation: Expedited approval.
Commission approved on 8/08/2014.

- f. World Affairs Council of New Hampshire, Veterans Memorial Park,
889 Elm Street, Manchester, NH 03101.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor
pursuant to RSA 178:20, II.
Event date: 8/13/2014.
Recommendation: Expedited approval.
Commission approved on 8/11/2014.