

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, AUGUST 28, 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:

September 18, 2014 @ 9:30 a.m.:

- a. Rack's Bar & Grille, 20 Plaistow Road, Plaistow, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1465103 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 with 1 fatality and 1 personal injury.
Date of violation: October 5, 2013.
Case #: 13-314-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.

October 16, 2014 @ 10:45 a.m.:

- 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.

Date to be determined:

- d. 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. 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 178:20-a, II – failed to generate 60% of its quarterly gross revenue from the sale of cigar-related products which are limited to cigars, humidors, cigar cutters, cigar cutters and cases, lighters and ashtrays.
Date of violation: January 16, 2014.
Case #: 14-18-OF.
\$250 administrative fine suspended unless reasonable sales requirements have not been met by March 1, 2015.
COMMISSION ACKNOWLEDGED.
- b. Penuche's Ale House, 4 Canal Street, Nashua, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1040103 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: April 24, 2013.
Case #: 14-118-OF.
\$1,000 administrative fine with \$500 suspended for twelve (12) months pending no like violation, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days held in abeyance for twelve (12) months pending no like violation and mandatory attendance at a Management Training Seminar (MTS) by September 30, 2014 for all persons-in-charge.
COMMISSION ACKNOWLEDGED.
- c. Polish American Club Of Nashua, 15 School Street, Nashua, NH.
Social Club License #8401 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 179:23/Liq. 404.06 – failed to obtain a felon exception for an executive board member.
Date of violation: February 3, 2013.
Case #: 13-391-OF.
\$2,500 administrative fine with \$500 suspended for twelve (12) months pending no like violation.
COMMISSION ACKNOWLEDGED.
- d. Shaskeen, 909 Elm Street, Manchester, NH.
Restaurant Full Service With Lounge License #1411803 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: May 25, 2013.
Case #: 14-96-OF.
\$500 administrative fine with \$250 suspended for twelve (12) months pending no like violation, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days held in abeyance for twelve (12) months pending no like violation; said suspension shall not come forward with a violation of Title XIII that occurred on or about March 27, 2014.
COMMISSION ACKNOWLEDGED.

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

- a. Aden Nashua, 437 Nashua Street, Milford, NH.
Restaurant Full Service With Lounge License #1484203 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: July 11, 2014.
Case #: 14-242-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. A To Z Beach Mart, 249 Ocean Blvd., Hampton, NH.
Seasonal Combination Off-Premises Beverage/Wine/Tobacco #3115647 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: August 1, 2014.
Case #: 14-280-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- c. Dragon Palace, 7 Marlborough Road, Route 12, Troy, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1414103 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:44, I – gave away free drinks to customers, patrons, members or guests.
Date of violation: August 2, 2014.
Case #: 14-282-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- d. El Patron Sports Bar & Grill, 233 Wilson Street, Manchester, NH.
Restaurant Full Service With Lounge License #1455003 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 179:8, I – failed to require the purchaser whose age was in question to furnish identification that such person was 21 years of age.
Date of violations: July 19, 2014.
Case #: 14-254-OF.
\$350 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- e. Kelly's Row, 421 Central Avenue, Dover, NH.
Restaurant Full Service With Lounge License #1326303 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: August 1, 2014.
Case #: 14-287-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- f. Koto Japanese Steakhouse, 360 Winchester Street, Keene, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1446103 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: July 11, 2014.
Case #: 14-241-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.

- g. Pasta Loft Restaurant, 241 Union Square, Milford, NH.
Restaurant Full Service With Lounge License #1053803 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: July 25, 2014.
Case #: 14-264-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- h. Searles Castle Events, 21 Searles Road, Windham, NH.
Caterer-Off-Site License #1208034 licensed pursuant to RSA 178:22, V(e).
Cited for violation of RSA 179:49 – stored beverages or liquor in any building other than that designated in their license.
Date of violation: August 5, 2014.
Case #: 14-286-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- i. Shakas Bar & Grill, 11 Witten Road, Milford, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1472303 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: August 14, 2014.
Case #: 14-298-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Canterbury Shaker Village, 288 Shaker Road, Canterbury, NH 03224.
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 MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- b. George's Friendly Market LLC, 683 Main Street, Rollinsford, NH 03869.
To be issued Combination Beverage/Wine/Tobacco #3318747 pursuant to RSA 178:18/RSA 126-K: 4.
30-Day Temporary License issued: 8/20/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- c. Hampton Area Chamber of Commerce, Main Beach, 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 MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- d. Jireh Ennonia LLC DBA Kathy's Convenience, 3 Ten Rod Road, Rochester, NH 03867.
To be issued Combination Beverage/Wine/Tobacco License #3318147 pursuant to RSA 178:18/RSA 126-K: 4.
30-Day Temporary License issued: 8/15/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- e. Perez, Antonio DBA Las Dos A-A, 9 Canal Street, Nashua, NH 03064.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1493903 pursuant to RSA 178:21.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- f. Rodriguez, Fabio DBA Norky's Restaurant & Lounge, 79 Manchester Street, Manchester, NH 03103.
To be issued Restaurant On-Premise Beverage and Wine License #1494603 pursuant to RSA 178:20.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA 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 25, 2014: 1,100

- a. Manuel Frias DBA Frias Family Vineyard, 4550 Silverado Trail North, Calistoga, CA 94515.
Direct Shipper Permit pending approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- b. North Country Hard Cider LLC, 3 Front Street #160, Lower Mill, Rollinsford, NH 03869.
To be issued Beverage Manufacturer License #290318 pursuant to RSA 178:12.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA 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. Breezeway Pub, Inc., 14 Pearl Street, Manchester, NH 03104.
Restaurant On-Premise Cocktail Lounge License #1175103 licensed pursuant to RSA 178:22.
Date petition received: 8/18/2014.
Requested approval for authorization of other areas, to wit, an outside block area with a capacity of 250 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Club Social, Inc., 240 Main Dunstable Road, Nashua, NH 03060.
Social Club On-Premise Cocktail Lounge License #16501 licensed pursuant to RSA 178:22, V(h).
Date petition received: 7/22/2014.
Requested approval for authorization of other areas, to wit, an outside area with a capacity of 199 on August 23, 2014 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

- c. Shriram LLC DBA Shalimar Resort By The Lake, 650 Laconia Road, Tilton, NH 03276.
Hotel Full Service With Lounge License #235802 licensed pursuant to RSA 178:21, II(b)(1)/178:22, V(k).
Date petition received: 8/15/2014.
Requested a waiver of RSA 178:21, II, a (2) for authorization of reduction of hours, to wit, to reduce the hours of operation to less than five days a week between August 18, 2014 and January 31, 2015; to be opened three nights a week for the evening meal.
COMMISSION ACKNOWLEDGED.
- d. Tee To Green LLC DBA Cobblestone Ale House, 151 Main Street, Keene, NH 03431.
Restaurant On-Premise Beverage/Wine/Liquor License #1485603 licensed pursuant to RSA 178:21.
Date petition received: 4/28/2014.
Requested approval for authorization of other areas, to wit, an outside sidewalk area with a capacity of 16 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- e. VFW Social Club, 22 Hathorn Road, Jaffrey, NH 03452.
Social Club On-Premise Cocktail Lounge License #21739 licensed pursuant to RSA 178:22, V(h).
Date petition received: 8/20/2014.
Requested approval for authorization of other areas, to wit, an outside area with a capacity of 300 from 2:00 pm to 10:00 pm on September 13, 2014 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

Tio Juan's Margarita's Mexican Restaurant & Watering Hole, 18 Centerra Parkway, Lebanon, NH.
Restaurant Full Service With Lounge License #1287603 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Requested approval for a Felon Exception for Lura Pratson as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).
Case #: 14-285-OF.
COMMISSION ACKNOWLEDGED.

11. NOTIFICATION OF DENIED FELON EXCEPTIONS:

Polish American Club Of Nashua, 15 School Street, Nashua, NH.
Social Club License #8401 licensed pursuant to RSA 178:22, V(h).
Requested approval for a Felon Exception for Todd Dustin as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).
Case #: 13-391-OF.
COMMISSION ACKNOWLEDGED.

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

Durham, NH.

13. NOTIFICATION OF ALCOHOL COMPLIANCE CHECKS:

None

14. HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

Firestone Walker LLC, 1400 Ramada Road, Paso Robles, CA 93446.
Beverage Vendor License #54731 licensed pursuant to RSA 178:15.
Requests approval of Firestone Walker Double Barrel Ale with an alcohol content of 12.25% at 60 degrees Fahrenheit by volume pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Annunciation Greek Church, Hellenic Center, 219 Long Hill Road, Dover, NH 03878.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event dates: 8/29/2014 & 8/30/2014.
Recommendation: Expedited approval.
Commission approved on 8/21/2014.
COMMISSION ACKNOWLEDGED.
- b. Concord Hospital Trust, Elm Brook State Park, 2097 Maple Street, Contoocook, NH 03229.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 9/13/2014.
Recommendation: Expedited approval.
Commission approved on 8/15/2014.
COMMISSION ACKNOWLEDGED.
- c. Real Action for International Need (Rain), Wolfeboro Inn Tented Area, 90 Main Street, Wolfeboro, NH 03894.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 8/24/2014.
Recommendation: Expedited approval.
Commission approved on 8/18/2014.
COMMISSION ACKNOWLEDGED.