

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, SEPTEMBER 4, 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. Beverages Unlimited, 67 Ocean Boulevard, Hampton, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3092647 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 178:18/RSA 175:1/Liq. 404.02 - failed to have representative grocery items commonly found in a grocery or convenience store.
Date of violation: July 12, 2014.
Case #: 14-251-Of.
\$250 administrative fine suspended for twelve (12) months pending no like violation.
COMMISSION ACKNOWLEDGED.
- b. Fraternal Order Of Eagles, 8 Green Square, Berlin, NH.
Social Club License #9301 licensed pursuant to RSA 178:22, V(h).
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 179:20, II – allowed an employee to consume alcoholic beverage while working.
Date of violations: May 31, 2014.
Case #: 14-206-OF.
For violation of RSA 179:5, I, an administrative fine of \$1,500 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 six (6) days with two (2) days held in abeyance for twelve (12) months pending no like violation commencing September 11, 2014 with re-grant on September 15, 2014 & Russell Otis and Kristy Landers shall attend a Management Training Seminar (MTS) in a classroom on the next available date; for violation of RSA 179:20, an administrative fine of \$250.
COMMISSION ACKNOWLEDGED.
- c. Legends Billiards & Tavern, 80 Hanover Street, Portsmouth, NH
Sports Entertainment License #2500705 licensed pursuant to RSA 178:22, V(u)(1).
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: February 12, 2014.
Case #: 14-64-OF.
An administrative fine of \$1,500 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 in the area that extends from and includes brass rails to the complete seating area for five (5) days with two (2) days held in abeyance for twelve (12) months pending no like violation commencing September 16, 2014 with re-grant on September 19, 2014 & James Perin and Adam Vercauteren shall attend a Management Training Seminar (MTS) in a classroom on the next available date.
COMMISSION ACKNOWLEDGED.
- d. Tio Juan's Margaritas Mexican Restaurant, 18 Centerra Parkway, Lebanon, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1287603 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:23/Liq. 404.06 – failed to obtain a felon exception for an executive board member.
Date of violation: March 18, 2014.
Case #: 13-325-OF.
\$2,500 administrative fine with \$500 suspended for twelve (12) months pending no like violation.
COMMISSION ACKNOWLEDGED.

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

G and N Variety Store, 94 B Kinsley Street, Nashua, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3317747 licensed pursuant to
RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 178:2 – failed to attend a required training program within 45 days of the issuance of
the liquor license.
Date of violation: August 21, 2014.
Case #: 14-306-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Crotched Mountain Rehabilitation Center, 1 Verney Drive, Greenfield, NH 03047.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor
pursuant to RSA 178:20, II.
Event date: 9/20/2014.
Recommendation: Approval.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- b. Cumberland Farms, Inc., Cumberland Farms #5445, 583 Nashua Street, Milford, NH 03055.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3319647
pursuant to RSA 178:18.
Recommendation: Approval.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- c. FEDEM LLC DBA Twombly's Market, 649 East Conway Road, Center Conway, NH 03813.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3318947
pursuant to RSA 178:18.
30 Day Temporary License issued: 8/27/2014.
Recommendation: Approval.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- d. Greater Somersworth Chamber of Commerce, The Pavilion,
11 Memorial Drive, Somersworth, NH 03878.
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: Approval.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- e. Hobbs Tavern & Brewing Company LLC, 2415 NH Route 16, West Ossipee, NH 03890.
To be issued Brew Pub License #2002115 pursuant to RSA 178:13.
30 Day Temporary License issued: 8/25/2014.
Recommendation: Approval.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- f. La Mano De Dios Food Market, Inc., 158 Spruce Street, Manchester, NH 03103.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3317847
pursuant to RSA 178:18.
30 Day Temporary License issued: 8/27/2014.
Recommendation: Approval.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**

- g. La Piece The Room LLC, 322 West Main Street, Tilton, NH 03276.
To be issued Caterer-Off-Site License #1284334 pursuant to RSA 178:22, V(e).
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- h. One Eleven Convenience Store LLC DBA One Eleven Convenience,
264 Main Dunstable Road, Nashua, NH 03062.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3314347
pursuant to RSA 178:18.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- i. Portsmouth Hot Spot LLC DBA Red Iguana Store 1002 (The),
121 Congress Street, Portsmouth, 03801.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1494403
pursuant to RSA 178:21.
30-Day Temporary License issued: 8/22/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- j. Sea Hagg Distillery (The) LLC, Victory Park, Unit 9, 135 Lafayette Road, North Hampton, NH 03862.
Liquor Manufacturer License #287219 licensed pursuant to RSA 178:6.
30 Day Temporary issued: 9/2/2014.
Conditional Combination issued as Rectifier License #287219 pursuant to RSA 178:7.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- k. Vongsay, Air DBA Bail Leaf Thai Cuisine, 80 Main Street, Newmarket, NH 03857.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1494003
pursuant to RSA 178:21.
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 SEPTEMBER 2, 2014: 1,100

- a. Cobb, Tracey, 7 Jolori Lane, Nashua, NH 03062.
To be issued Alcohol Consultant License #502644 pursuant to RSA 178:27-a.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. MHW LTD, 1129 Northern Boulevard, Suite 312, Manhasset, NY 11030.
To be issued Beverage Vendor License #70031 pursuant to RSA 178:15.
Manufacturer: Shepherd Neame, United Kingdom.
30 Day Temporary License: 8/25/2014.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- c. Wine-It-Too, Inc. DBA Global Beer Network, 325 North Main Street 15A, Middleton, MA 01949.
To be issued Beverage Vendor License #71731 pursuant to RSA 178:15.
Manufacturer: Van Honesbrouck.
30 Day Temporary License: 8/27/2014
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. Anwar, Qaisar DBA 99 Cent & Cigarette Market, 383 Kelley Street, Manchester, NH 03102.
Retail Tobacco License #801117 licensed pursuant to RSA 126-K:4.
Date petition received: 8/25/2014.
Requested approval for authorization to transfer business location, to wit, transfer location from 383 Kelley Street, Manchester, NH to 352 Kelley Street, Manchester, NH on August 27, 2014 pursuant to RSA178:29, VIII.
COMMISSION ACKNOWLEDGED.
- b. Howie Glynn & Sons Convenience, Inc., 32 Indian Rock Road, Windham, NH 03079.
Combination Off-Premise Beverage/Wine/Tobacco License #3267247.
Licensed pursuant to RSA 178:18.
Date petition received: 8/27/2014.
Requested approval for retention of invoices at another location, to wit, to retain invoices at a home office located at 321 North Main Street, Salem, NH pursuant to RSA 179:25.
COMMISSION ACKNOWLEDGED.
- c. Koszco Street Pub, Inc. DBA Wild Rover Pub, 21 Kosciuszko Street, NH 03102.
Restaurant On-Premise Cocktail Lounge License #258403 licensed pursuant to RSA 178:22.
Date petition received: 8/28/2014.
Requested approval for authorization of other areas, to wit, an outside area with a capacity of 2,000 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. Millos Pizza and Grill LLC, 575 Franklin Pierce Highway, Barrington, NH 03825.
Restaurant On-Premise Beverage and Wine License #1490003 licensed pursuant to RSA 178:20.
Date petition received: 8/25/2014.
Requested approval for authorization of other areas, to wit, an outside patio area with capacity of 27 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- e. Pyramid Hanover Management LLC DBA Hanover Inn, 2 East Wheelock Street, Hanover, NH 03755.
Hotel On-Premise Beverage/Wine/Liquor License #367202 licensed pursuant to RSA 178:24, II(b)(1).
Date petition received: 7/15/2014.
Requested approval for an outside area, to wit, an outside porch/sidewalk area with a capacity of 49 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

- f. Thayer's Inn LLC, 111 Main Street, Littleton, NH 03561.
Hotel On-Premise Beverage/Wine/Liquor License #370302 licensed pursuant to RSA 178:24, II(b)(1).
Date petition received: 8/20/2014.
Requested approval for authorization of three areas, to wit, an upstairs dining room with a capacity of 40, a conference room with a capacity of 30 and an outside deck with a capacity of 8 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- g. Stark House Tavern (The) LLC, 487 South Stark Highway, Weare, NH 03281.
Restaurant On-Premise Cocktail Lounge License #1492103 licensed pursuant to RSA 178:22.
Date petition received: 8/27/2014.
Requested approval for authorization of other areas, to wit, an outside patio/fenced in area with a capacity of 58 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

11. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

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

Durham, NH.

13. NOTIFICATION OF COMPLIANCE CHECKS:

Alcohol – Wolfeboro:

- a. Cider Press, 30 Middleton Road, Wolfeboro, NH.
Seasonal Restaurant On-Premise Beverage/Wine/Liquor License #421903 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 18, 2014.
Case #: 14-247-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of the violation.
COMMISSION ACKNOWLEDGED.
- b. Morrissey's Front Porch, 286 South Main Street, Wolfeboro, NH.
Restaurant Beverage and Wine License #1241303 licensed pursuant to RSA 178:20.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: July 18, 2014.
Case #: 14-247-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of the violation.
COMMISSION ACKNOWLEDGED.

Tobacco - Hillsborough County:

- a. Hancock Market, 30 Main Street, Hancock, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3274947 licensed pursuant to RSA 178:18/126-K:4.
Cited for violation of RSA 126-K:4 – sold tobacco to an underage person during a compliance check.
Date of violation: August 25, 2014.
Case #14-273-OF.
Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of the violation.
COMMISSION ACKNOWLEDGED.
- b. Hoppy's Country Store, 800 Turnpike Road, New Ipswich, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3007047 licensed pursuant to RSA 178:18/126-K:4.
Cited for violation of RSA 126-K:4 – sold tobacco to an underage person during a compliance check.
Date of violation: August 25, 2014.
Case #14-273-OF.
Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of the violation.
COMMISSION ACKNOWLEDGED.

14. HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

None

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Androscoggin Valley Chamber of Commerce, Northern Forest Heritage Park, 961 Main Street, Berlin, NH 03570.
To be issued one day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 9/6/2014.
Recommendation: Expedited approval.
Commission approved on 8/27/2014.
COMMISSION ACKNOWLEDGED.
- b. Strawberry Banke Museum, 14 Hancock Street, Portsmouth, NH 03801.
To be issued one day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 9/6/2014.
Recommendation: Expedited approval.
Commission approved on 8/26/2014.
COMMISSION ACKNOWLEDGED.
- c. Strawberry Banke Museum, 14 Hancock Street, Portsmouth, NH 03801.
To be issued off sale special licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:17, II.
Event date: 9/6/2014.
Recommendation: Expedited approval.
Commission approved on 8/27/2014.
COMMISSION ACKNOWLEDGED.

- d. Strawberry Banke Museum, 14 Hancock Street, Portsmouth, NH 03801.
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 8/26/2014.
COMMISSION ACKNOWLEDGED.

17. LATE ITEMS:

LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

P.P.S.B. LLC, DBA-Perkins Pier Clam Shack and Bar, 134 Ashworth Avenue, Hampton, NH 03842.
To be issued Restaurant On-Premise Beverage/Wine/Liquor License #1491303 pursuant to RSA 178:21.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

NOTIFICATION OF APPROVED PETITION:

P.P.S.B. LLC DBA Perkins Pier Clam Shack and Bar, 134 Ashworth Avenue, Hampton, NH 03842.
Restaurant On-Premise Beverage/Wine/Liquor License #1491303 licensed pursuant to RSA 178:21.
Date petition received: 9/2/2014.
Requested approval for an outside area, to wit, an outside patio area with a capacity of 26 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.