

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 9, 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.:

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:

US Market, 18 Rockland Avenue, Manchester, NH.

Combination Off-Premises Beverage/Wine/Tobacco License #3291947 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.

Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premises.

Date of violations: July 25, 2014.

Case #: 14-267-OF & 14-277-OF.

The Licensee shall pay an administrative fine of \$2,000 with \$1,000 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 seven (7) days with two (2) days held in abeyance for twelve (12) months pending no like violation commencing October 14, 2014 with re-grant on October 19, 2014, Uddhav Thapa shall attend a Management Training Seminar (MTS) in a classroom in the next available class, Sita Thakuri Thapa and Sandhya Thapa shall attend a Total Education in Alcohol Management (TEAM) seminar in a classroom in the next available class, the Licensee shall contact the training unit to schedule training as indicated above and the Licensee shall file an affidavit for any employee who does not have one on file with the Division of Enforcement & Licensing.

COMMISSION ACKNOWLEDGED.

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

- a. American Spirits Exchange Limited, 205 Mill Street, Bridgeport, PA 19405.
Liquor and Wine Vendor License #104745 licensed pursuant to RSA 178:9.
Cited for violation of Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: August 19, 2014.
Case #: 14-340-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. T. J.'s Publick House, 45 North Main Street, Rochester, NH 03867.
Restaurant Full Service With Lounge License #1492003 licensed pursuant to
RSA 178:21, II(a)(1)/RSA 178:22, V(q).
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 28, 2014.
Case #: 14-62-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Abacus Restaurant Corporation, Revolution Taproom & Grill,
61 North Main Street, Rochester, NH 03867.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1490603
pursuant to RSA 178:21.
30 Day Temporary License issued: 9/29/2014.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- b. Arista Pizza LLC DBA Pizza Peddler & Mini Mart, 70 Hancock Road, Peterborough, NH 03458.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3321047
pursuant to RSA 178:18.
30 Day Temporary License issued: 10/2/2014.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- c. Derry Rotary Club, Boys & Girls Club, 40 East Derry Road, Derry, NH 03038.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor
pursuant to RSA 178:20, II.
Event date: 10/18/2014.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- d. Granite YMCA (The), Radisson Hotel Armory, 700 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: 10/15/2014.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**
- e. Jass Boxing, Tri City Christian Academy, 12 Rocky Hill Road, Somersworth, NH 03878.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor
pursuant to RSA 178:20, II.
Event dates: 11/01, 11/08, 11/15 & 11/29/2014.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA
SECONDED THE MOTION; THE MOTION PASSED.**

- f. Jokati Corporation, Inn at Ellis River (The), 17 Harriman Road, Jackson, NH 03846.
To be issued Hotel Full Service With Lounge License #370402
pursuant to RSA 178:21, II(b)(1)/178:22, V(k).
30 Day Temporary License issued: 9/30/2014.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. Lemay and Sons Beef LLC DBA Steak Out (The), 118 Daniel Plummer Road, Goffstown, NH 03045.
To be issued Combination Off-Premise Beverage, Wine License #3321247
pursuant to RSA 178:18.
30 Day Temporary License issued: 9/29/2014.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- h. Namaste Nepal LLC, 215 Lake Avenue, Manchester, NH 03103.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3321247
pursuant to RSA 178:18 and 178:19-a.
30 Day Temporary License issued: 9/29/2014.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- i. Pub32 LLC, 264 Main Street, Unit 14, Lincoln, NH 03251.
To be issued Restaurant On-Premise Beverage and Wine License #1492403
pursuant to RSA 178:20.
30 Day Temporary License issued: 10/1/2014.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- j. St. Mariam, Inc., 266 Main Dunstable Road, Nashua, NH 03064.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3319347
pursuant to RSA 178:18.
30 Day Temporary License issued: 10/1/2014.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- k. Thayer, Robin & Lawrence, Sandra DBA New Deal General Store (The),
3365 Province Lake Road, East Wakefield, NH 03830.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3320547
pursuant to RSA 178:18.
30 Day Temporary License issued: 10/1/2014.
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 OCTOBER 6, 2014: 1,087

- a. Arete Wines LLC DBA Domaine De La Cote, 1712 Industrial Way, Lompoc, CA 93436.
Direct Shipper Permit pursuant to RSA 178:27.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. B. R. Cohn Winery LLC, 15000 Sonoma Highway, Glen Ellen, CA 95442.
Direct Shipper Permit pursuant to RSA 178:27.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- c. Gros Ventre Cellars LLC, 8054 Fairplay Road, Fair Play, CA 95672.
Direct Shipper Permit pursuant to RSA 178:27.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Premium Vintners LLC DBA Fallbrook Winery, 2554 Via Rancheros, Fallbrook, CA 92028.
Direct Shipper Permit pursuant to RSA 178:27.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Raymond Signorello DBA Signorello Estate, 4500 Silverado Trail, Napa, CA 94558.
Direct Shipper Permit pursuant to RSA 178:27.
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. LHD, Inc. DBA Screaming Boar BBQ, 40 West Main Street, Littleton, NH 03561.
Restaurant On-Premise Beverage/Wine/Liquor License #1438203 licensed pursuant to RSA 178:21.
Date petition received: 9/30/2014.
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 October 15, 2014 and April 15, 2014 as indicated in a letter dated September 30, 2014.
COMMISSION ACKNOWLEDGED.
- b. Pub32 LLC, 264 Main Street, Unit 14, Lincoln, NH 03251.
Restaurant On-Premise Beverage and Wine License #1492403 licensed pursuant to RSA 178:20.
Date petition received: 9/30/2014.
Requested approval for authorization of other areas, to wit, an outside patio area with a capacity of 25 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Upper Valley Snow Sports Foundation, 160 Whaleback Mountain Road, Enfield, NH 03748.
Sports Recreation License #6017405 licensed pursuant to RSA 178:22, V(v).
Date petition received: 9/23/2014.
Requested approval for authorization of other areas, to wit, an outside patio and an adjacent area with a capacity of 150 for event date 10/4/2014 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:

Tobacco – Cheshire County:

- a. Beaver Street Market, 98 Beaver Street, Keene, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3057947 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: September 12, 2014.
Case #: 14-325-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. Drewsville General Store, Route 123, Drewsville, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3299747 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: September 12, 2014.
Case #: 14-325-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. Andover Lions Club, Potter Place Train Station & General Store,
Depot Road, Andover, NH 03216.
To be issued a one-day license for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 10/11/2014.
Recommendation: Expedited approval.
Commission approved on 10/2/2014.
COMMISSION ACKNOWLEDGED.
- b. Downtown Ongoing Improvement Team Milford NH DBA Downtown Ongoing Improvement Team (Do It), Milford, NH, Milford Community House Grounds, 5 Union Street, Milford, NH 03055.
To be issued a one-day license for Voluntary Nonprofit Organizations Beverage/Wine/Liquor. Licensed pursuant to RSA 178:20, II.
Event date: 10/10/2014.
Recommendation: Expedited approval.
Commission approved on 10/2/2014.
COMMISSION ACKNOWLEDGED.

- c. L.B.O. Holding, Inc. DBA Attitash Mountain Resort,
Bear Peak Base Lodge, 775 US Route 302, Bartlett, NH 03812.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event dates: 10/11/2014 & 10/12/2014.
Recommendation: Expedited approval.
Commission approved on 10/2/2014.
COMMISSION ACKNOWLEDGED.
- d. Prescott Park Arts Festival, Strawberry Banke Museum, 14 Hancock Street, Portsmouth, NH 03801.
To be issued a one-day license for Voluntary Nonprofit Organizations Beverage/Wine/Liquor
pursuant to RSA 178:20, II.
Event date: 10/11/2014.
Recommendation: Expedited approval.
Commission approved on 10/2/2014.
COMMISSION ACKNOWLEDGED.

17. LATE ITEM FOR INFORMATION ONLY:

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.

Dates of violations: November 9, 2013 & November 9 – 15, 2013.

Case #: 13-353-OF.

For violation of RSA 179:5, I, an administrative fine of \$1,000 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 cocktail lounge only for three (3) days with one (1) day held in abeyance for twelve (12)
months pending no like violation commencing October 11, 2014 with re-grant on October 13, 2014 and Maria
Liakakos shall attend a Total Education in Alcohol Management (TEAM) seminar in a classroom on the next
available date; the violation of RSA 179:35 shall be nol prossed.

**COMMISSION ACKNOWLEDGED; CHAIRMAN MOLLICA STATED FOR THE RECORD THAT THE
SUSPENSION WAS EXTREME CONSIDERING THE LICENSEE HAD NO HISTORY OF VIOLATIONS.**