

AGENDA FOR THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 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:

December 18, 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.
HEARING DATE MOVED AT HEARING OFFICER'S REQUEST.

December 18, 2014 @ 10:30 a.m.:

- b. Alburritos Mexican Restaurant, 406 Union Street, Littleton, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1398503 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: March 28, 2014.
Case #: 14-133-OF.

January 15, 2015 @ 9:30 a.m.:

- c. Arena Sports Bar & Nightclub, 53 High Street, Nashua, NH.
Restaurant Full Service With Lounge License #1453303 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: February 1 - 2, 2013.
Case #: 14-116-OF.

January 15, 2015 @ 10:30 a.m.:

- d. Club Social, 240 Main Dunstable Road, Nashua, NH.
Social Club License #16501 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.
Date of violation: May 3, 2014.
Case #: 14-170-OF.

January 15, 2015 @ 11:30 a.m.:

- e. Speedway Convenience Store, 905 Route 106, Loudon, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #885547 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:49 – stored beverages or liquor in any building other than that designated in the license.
Date of violation: September 2, 2014.
Case #: 14-317-OF.

Date to be determined:

- f. 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:

None

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

- a. O'Brien's Sports Bar, 118 Main Street, Nashua, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1419403 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Cited for violation of RSA 179:27 – restrictions on serving and congregating of patrons (overcrowding).
Date of violations: September 27, 2014.
Case #: 14-367-OF.
\$500 administrative fine paid.
- b. Thon Khao, 427 Amherst Street, Nashua, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1233103 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:32, II – purchased beer from other than a holder of a wholesaler distributor license.
Date of violation: September 27, 2014.
Case #: 14-368-OF.
\$250 administrative fine paid.
- c. Yogie's Bar and Cigars, 5B Main Street, Seabrook, NH.
Retail Tobacco License #131517 licensed pursuant to 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: September 17, 2014.
Case #: 14-358-OF.
\$100 fine paid.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. C.R. Sparks Restaurants, Inc. DBA CR'S The Restaurant, 287 Exeter Road, Hampton, NH 03842. To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1495003 pursuant to RSA 178:21. 30 Day Temporary License issued: 10/10/2014.
- b. Depot Bar and Grill LLC, 2 Main Street, Somersworth, NH 03878. To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1496403 pursuant to RSA 178:21. 30 Day Temporary License issued: 10/16/2014.

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 21, 2014: 1,095

- a. Heart & Hands Wine Company, 4162 State Route 90, Union Springs, NY 13160. Direct Shipper Permit pursuant to RSA 178:27.
- b. Kautz Vineyards, Inc. DBA Ironstone Vineyards, 1894 Six Mile Road, Murphys, CA 95247. Direct Shipper Permit pursuant to RSA 178:27.

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. American Citizens of Polish Descent of Newmarket NH, 18 Central Street, Newmarket, NH 03857. Social Club On-Premise Cocktail Lounge License #10601 licensed pursuant to RSA 178:22, V(h). Date petition received: 10/7/2014. Requested approval for authorization of other areas, to wit, an outside parking lot area with a capacity of 75 for an event dated 10/25/2014 pursuant to RSA 178:24 and Liq. 404.05.
- b. Brau, Inc. DBA Schilling Beer Company, 18 Mill Street, Littleton, NH 03561. Brew Pub On-Premise Cocktail Lounge License #2001915 licensed pursuant to RSA 178:13. Date petition received: 10/14/2014. Requested approval for authorization of other areas, to wit, an additional service area on the third floor with a capacity of 40 pursuant to RSA 178:24 and Liq. 404.05.
- c. Loon Mountain Recreation Co. DBA Loon Mountain Ski Area, Octagon Lodge Café, 60 Loon Mountain Road, Lincoln, NH 03251. Restaurant On-Premise Beverage and Wine License #404103 licensed pursuant to RSA 178:20. Date petition received: 10/9/2014. Requested approval for authorization of other areas, to wit, an outside beer garden area with a capacity of 1,000 for event dates October 17 & 18, 2014 pursuant to RSA 178:24 and Liq. 404.05.

- d. Tandy Stephens, Inc. DBA Tandy's Top Shelf, 1 Eagle Square, Concord, NH 03301.
Restaurant On-Premise Beverage/Wine/Liquor License #1404103 licensed pursuant to RSA 178:21.
Date petition received: 10/16/2014.
Requested approval for authorization of other areas, to wit, an outside atrium area with a capacity of 206 for event dates October 25 & 26, 2014 pursuant to RSA 178:24 and Liq. 404.05.

10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

Grammy & Grampy's Gift Baskets, 16 North Main Street, Rochester, NH.
Retail Wine License #3158146 licensed pursuant to RSA 178:19.
Requested approval for a Felon Exception for Michelle Byron as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).
Case #: 14-345-OF.

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 - Nashua:

Hannaford 8246, 295 Newport Road, New London, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3160947 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 26, 2014.
Case #: 14-343-OF.
Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of the violation.

14. HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

None

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Lakes Region Community Services Council, Laconia Country Club, 607 Elm Street, Laconia, NH 03246.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 11/1/2014.
Recommendation: Expedited approval.
Commission approved on 10/15/2014.

- b. Prescott Park Arts Festival, Redhook Brewery, 1 Redhook Way, Portsmouth, NH 03801.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 10/25/2014.
Recommendation: Expedited approval.
Commission approved on 10/15/2014.

- c. South Hampton PTA, South Hampton Town Hall, 3 Hilldale Avenue, South Hampton, NH 03827.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 10/25/2014.
Recommendation: Expedited approval.
Commission approved on 10/16/2014.