

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 30, 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.

To be determined:

- f. Dutch Treat Restaurant, 317 Main Street, Franconia, NH.
Restaurant Full Service With Lounge License #235003 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.
Date of violation: August 23, 2014.
Case #: 14-308-OF.

2. NOTIFICATION OF DISCIPLINARY ACTION:

- a. Black Mountain Burger Co., 264 Main Street, Unit #10, Lincoln, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1435103 licensed pursuant to RSA 178:21.
Cited for violation of Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: September 9, 2014.
Case #: 14-341-OF.
Verbal warning.
COMMISSION ACKNOWLEDGED.
- b. Fang Chen's Restaurant, 122 East Broadway, Derry, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1184703 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 – 3 counts.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Date of violations: December 28, 2013.
Case #: 14-21-OF.
For violations 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 eight (8) days with four (4) days held in abeyance for twelve (12) months pending no like violation commencing November 1, 2014 with re-grant on November 5, 2014 and Amy Chen and Donna Lemay shall attend a Management Training Seminar (MTS) in a classroom on the next available date; for violation of RSA 179:51, an administrative fine of \$250.
COMMISSION ACKNOWLEDGED.
- c. Seven Barrel Brewery, 5 Airport Road, Suite 16, Lebanon, NH.
Restaurant Full Service With Lounge License #2000615 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: March 6, 2014.
Case #: 14-178-OF.
An administrative fine of \$500 due, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days commencing November 11, 2014 with re-grant on November 14, 2014 and Louis Paturzo shall attend a Management Training Seminar (MTS) in a classroom on the next available date.
COMMISSION ACKNOWLEDGED.

- d. Tamworth Distilling & Mercantile, 85 Main Street, Tamworth, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3272947 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 178:1, I – sold alcohol without a license to do so.
Date of violation: April 2, 2014.
Case #: 14-129-OF.
\$100 administrative fine.
COMMISSION ACKNOWLEDGED.

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

None

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Beava Divas LLC DBA 19th Hole at Beaver Meadow (The),
1 Beaver Meadow Street, Concord, NH 03301.
To be Issued Sports Recreation Facility On-Premise Cocktail Lounge License #6018605
pursuant to RSA 178:22, V(u).
30 Day Temporary License issued: 10/20/2014.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**
- b. Campania Market, Inc., 209 Derry Road, Unit 12, Hudson, NH 03051.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3316047
pursuant to RSA 178:18.
30 Day Temporary License issued: 10/23/2014.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**
- c. Hillsboro Family Restaurant LLC DBA Brick House Family Restaurant,
125 West Main Street, Hillsborough, NH 03244.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1497703
pursuant to RSA 178:21.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**
- d. Nashua Police Athletic League,
PAL-St. Patrick's Gymnasium, 29 Spring Street, Nashua, NH 03060.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor
pursuant to RSA 178:20, II.
Event date: 11/7/2014.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**
- e. OMNI Hotels Management Corp. DBA Mount Pleasant Market,
310 Mount Washington Road, Bretton Woods, NH 03575.
To be issued Combination Off-Premise Beverage and Wine License #3320847
pursuant to RSA 178:18.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**
- f. Smati LLC, 566 Mast Road, Goffstown, NH 03045.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3320947
pursuant to RSA 178:18.
30 Day Temporary License issued: 10/22/2014.
**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 OCTOBER 28, 2014: 1,098

- a. Foundry Vineyards LLC, 1102 Dell Avenue, Walla Walla, WA 99362.
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. Marietta Cellars, Inc., 22295 Chianti Road, Geyserville, CA 95441.
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. R.A. Harrison Family Cellars LLC, 1155 Mee Lane, Rutherford, CA 94573.
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. Beava Divas LLC DBA 19th Hole at Beaver Meadow (The),
1 Beaver Meadow Street, Concord, NH 03301.
Sports Recreation License #6018605 licensed pursuant to RSA 178:22, V(v).
Date petition received: 10/20/2014.
Requested approval for authorization of other areas, to wit, two outside patios with a capacity of 121 with tables and chairs and 259 with chairs only for the main patio; the new patio with a capacity of 38 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Beava Divas LLC DBA 19th Hole at Beaver Meadow (The),
1 Beaver Meadow Street, Concord, NH 03301.
Sports Recreation License #6018605 licensed pursuant to RSA 178:22, V(v).
Date petition received: 10/20/2014.
Requested approval to use a mobile cart, to wit, a mobile cart to be used on the fairways for the sale and service of alcohol pursuant to Liq. 206.10 (a)(1), Liq. 404.05 (a)(1) and Liq. 509.
COMMISSION ACKNOWLEDGED.
- c. Throwback Brewery LLC, 121 Lafayette Road, Bldg. #2, Unit #3, North Hampton, NH 03862.
Nano Brewery, Beer and/or Specialty Beer License #200222 licensed pursuant to RSA 178:12-a.
Date petition received: 10/20/2014.
Requested approval for authorization of other areas, to wit, Town of Exeter Farmers' Market at Exeter High School, Exeter, NH from 10:00 am to 2:00 pm on December 13, 2014, January 10, 2015, February 28, 2015, March 28, 2015 and April 11, 2015 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

- d. Throwback Brewery LLC, 121 Lafayette Road, Bldg. #2, Unit #3, North Hampton, NH 03862. Nano Brewery, Beer and/or Specialty Beer License #200222 licensed pursuant to RSA 178:12-a. Date petition received: 10/20/2014. Requested approval for authorization of other areas, to wit, Town of Rollinsford Farmers' Market at Wentworth Greenhouses, Rollinsford, NH from 10:00 am to 2:00 pm on November 22, 2014, December 6, 2014, December 20, 2014, January 24, 2015, February 14, 2015 and March 28, 2015 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- e. Walpole Main Holdings LLC DBA Walpole Inn, 297 Main Street, Walpole, NH 03608. Restaurant On-Premise Beverage and Wine License #1479503 licensed pursuant to RSA 178:20. Date petition received: 10/3/2014. Requested approval for authorization of other areas, to wit, an additional bar area with a capacity of 9 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:

None

14. HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

None

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

None