

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, NOVEMBER 6, 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. Cloud Palace (The), 2 Range Road, Salem, NH.
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #402206 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: May 23, 2014.
Case #: 14-197-OF.
\$1,000 administrative fine with \$500 suspended for twelve (12) months pending no like violation.
COMMISSION ACKNOWLEDGED.
- b. World's Greatest Karaoke Bar, 9A Ocean Blvd., Hampton, NH.
Restaurant Full Service With Lounge License #1467203 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: July 6, 2014.
Case #: 14-197-OF.
The Licensee shall pay an administrative fine of \$500, four (4) points shall be assessed to the liquor license and the license to sell alcohol shall be suspended in the cocktail lounge only for three (3) days commencing November 9, 2014 with re-grant on November 12, 2014.
COMMISSION ACKNOWLEDGED.

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

- a. Family Tree Restaurant, 927 Laconia Road, Tilton, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1484403 licensed pursuant to RSA 178:21.
Cited for violation of RSA 178:21, II, (a)(2) – failed to open for evening meals five days a week.
Date of violation: October 16, 2014.
Case #: 14-393-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

- b. Golden Garden, 32 Lafayette Road, North Hampton, NH.
Restaurant Full Service With Lounge License #1004603 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: October 16, 2014.
Case #: 14-397-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- c. VFW Post 799, 459 Winchester Street, Keene, NH.
Veterans Club License #30939 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 179:19, VI/RSA 647:2 – allowed gambling and wagering on the premises.
Date of violation: September 11, 2014.
Case #: 14-327-OF
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Arigz, Inc. DBA Smoke Show (The), 5 Signal Street, Rochester, NH 03867.
To be issued Retail Tobacco License #132817 pursuant to RSA 178:19-a.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.
- b. Boys & Girls Club of Souhegan Valley, 56 Mount Vernon Street, Milford, NH 03055.
To be issued off sale special licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:17, II.
Event date: 11/22/2014.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.
- c. DG Retail LLC DBA Dollar General Store 13284, 201 West Main Street, Hillsborough, NH 03244.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3318047 pursuant to RSA 178:18.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.
- d. EZ Stop II LLC, 163 Main Dunstable Road, Nashua, NH 03060.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3314547 pursuant to RSA 178:18.
30 Day Temporary License issued: 10/29/2014.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.
- e. Francoeur, Cathy & Diccico, Lianne, DBA Ma's An Mine Family Restaurant, 188 First NH Turnpike, Northwood, NH 03261.
To be issued Restaurant On-Premise Beverage and Wine License #1496603 pursuant to RSA 178:20.
30 Day Temporary License issued: 10/29/2014.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.
- f. Friends Of The Earth Sea & Space Center, Sheraton Harborside, 250 Market Street, Portsmouth, NH 03807.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 11/13/2014.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.
- g. Grill On Route 107 (The) LLC, 89 A Main Street, East Kingston, NH 03827.
To be issued 30 Day Temporary Restaurant On-Premise Beverage, Wine and Liquor License #1496903 pursuant to RSA 178:21.
Date issued: 10/24/2014.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.
- h. J B Rauta LLC, 42 Canal Street, Nashua, NH 03064.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3320147 pursuant to RSA 178:18.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.

- i. Kueifun LLC DBA Crane Restaurant, 113 West Pearl Street, Nashua, NH 03060.
To be issued 30 Day Temporary Restaurant On-Premise Beverage, Wine and Liquor License #1498103 pursuant to RSA 178:21.
License issued: 10/29/2014.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.
- j. Shackett, Ralph J. DBA Shackett's Brewing Company, 30 Lake Street, Bristol, NH 03222.
To be issued Nano Brewery Beer and/or Specialty Beer License #202122 pursuant to RSA 178:12-a.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.
- k. Shri Pramukhkrupa Corp. DBA Spit Brook Market, 108 Spit Brook Road, Nashua, NH 03062.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3321847 pursuant to RSA 178:18.
30 Day Temporary License issued: 10/30/2014.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.
- l. Sweet Summertime, Inc., 41 NH Route 25, Meredith, NH 03253.
To be issued Restaurant On-Premise Beverage and Wine License #1486803 pursuant to RSA 178:20.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.

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 NOVEMBER 4, 2014: 1,097

- a. En Garde Winery, 1310 Arnold Drive, Glen Ellen, CA 95442.
Direct Shipper Permit pursuant to RSA 178:27.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.
- b. Foolproof Brewing Company, 241 Grotto Avenue, Pawtucket, RI, 02860.
To be issued Beverage Vendor License #72531 pursuant to RSA 178:15.
Manufacturer: Foolproof Brewing Company, Pawtucket, RI.
DEPUTY COMMISSIONER MILLIGAN APPROVED THIS ITEM.

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. Grill On Route 107 (The) LLC, 89 A Main Street, East Kingston, NH 03827.
Restaurant On-Premise Beverage/Wine/Liquor License #1496903 licensed pursuant to RSA 178:21.
Date petition received: 10/24/2014.
Requested approval for authorization of other areas, to wit, an outside deck area with a capacity of 14 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

- b. Hillsboro Family Restaurant LLC DBA Brick House Family Restaurant, 125 West Main Street, Hillsborough, NH 03244. Restaurant On-Premise Beverage/Wine/Liquor License #1497703 licensed pursuant to RSA 178:21. Date petition received: 10/30/2014. Requested approval for authorization of other areas, to wit, an outside patio area with a capacity of 80 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. 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: 10/28/2014. Requested approval for authorization of other areas, to wit, an outside atrium area with a capacity of 206 for event date October 31, 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 – Rockingham County:

Shaw's Supermarket 345, 100 Shaw's Lane, Stratham, NH.
Combination Off-Premises Beverage/Wine/Tobacco #763047 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 #: 14-379-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:

Country Corner Mile LLC, Route 31, Greenville, NH 03048.
Agency Store Off-Premise Liquor Only License #980404 licensed pursuant to RSA 177:9.
Requested approval for renewal of license, to wit, to renew Agency Store Off-Premise Liquor Only License pursuant to RSA 177:9.
Recommendation: Approval.
AS PART OF THE COMMISSION'S YEARLY DUE DILIGENCE WITH ALL AGENCY STORE LICENSES, DEPUTY COMMISSIONER MILLIGAN TABLED THIS ITEM SO THAT DIRECTOR GERRISH CAN CONTACT THE LICENSEE TO OFFER WHATEVER ASSISTANCE HE MAY NEED RELATIVE TO THIS LIQUOR LICENSE. THE COMMISSION CURRENTLY HAS NO CONCERNS REGARDING THIS LICENSEE.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Girls At Work, Inc., Art Institute, 148 Concord Street, Manchester, NH 03103.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 11/8/2014.
Recommendation: Expedited approval.
Commission approved on 10/30/2014.
COMMISSION ACKNOWLEDGED.
- b. Manchester Choral Society,
Sheehan, Phinney, Bass & Greene Office, 1000 Elm Street, 17th Floor, Manchester, NH 03105.
To be issued one-day licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:20, II.
Event date: 11/7/2014.
Recommendation: Expedited approval.
Commission approved on 10/30/2014.
COMMISSION ACKNOWLEDGED.
- c. New Hampshire Art Association, Levy Gallery, 136 State 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: 11/1/2014.
Recommendation: Expedited approval.
Commission approved on 10/27/2014.
COMMISSION ACKNOWLEDGED.
- d. St. Patrick School, Portsmouth Country Club, 80 Country Club Lane, Greenland, NH 03840.
To be issued off sale special licenses for Voluntary Nonprofit Organizations Beverage/Wine/Liquor pursuant to RSA 178:17, II.
Event date: 11/7/2014.
Recommendation: Expedited approval.
Commission approved on 10/30/2014.
COMMISSION ACKNOWLEDGED.