

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR WEDNESDAY, DECEMBER 24, 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:

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

- a. 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 @ 10:00 a.m.:

- b. 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.

January 15, 2015 @ 10:00 a.m.:

- c. Club 550, 2025 White Mountain Highway, North Conway, NH.
Sports Entertainment License #2503005 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.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
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: May 25, 2014.
Case #: 14-202-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.
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 – 3 counts.
Dates of violations: July 18, 2013 – the present & May 3, 2014.
Case #: 14-91-OF & 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.

January 15, 2015 @ 1:00 p.m.:

- f. Chop Shop Pub & Grub, 920 Lafayette Road, Seabrook, NH.
Caterer-Off-Site License #1282534 licensed pursuant to RSA 178:22, V(e).
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: June 20, 2014.
Case #: 14-220-OF.

January 15, 2015 @ 2:00 p.m.:

- g. Jade Palace, 28 Portsmouth Avenue, Stratham, NH.
Restaurant Full Service With Lounge License #1476403 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 179:44, I – gave away free drinks to customers, patrons, members or guests.
Date of violations: March 6, 2014.
Case #: 14-90-OF.

February 19, 2015 @ 9:30 a.m.:

- h. Foresters' Club Of Newport, 38 Maple Street, Newport, NH.
Social Club License #16201 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: July 11, 2014.
Case #: 14-269-OF.

February 19, 2015 @ 10:30 a.m.:

- i. Singin' Bowl, 10 Bridge Street #4, Pelham, NH.
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #401606 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: February 6, 2014.
Case #: 14-42-OF.

February 19, 2015 @ 11:00 a.m.:

- j. Pacific Fusion Restaurant, 356 D.W. Highway, Merrimack, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1442203 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: July 26, 2014.
Case #: 14-265-OF.

Date to be determined:

- k. Zaboo, 24 Depot Street, Manchester, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1494103 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:23, V/Liq. 404.06 – failed to obtain a felon exception.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person.
Cited for violation of RSA 179:44, I – gave away free drinks to customers, patrons, members or guests.
Dates of violations: August 28, 2014, October 31, 2014 & September 6, 2014.
Case #: 14-318-OF, 14-413-OF & 14-338-OF.
THE LICENSEE FILED A MOTION TO CONTINUE WHICH WAS GRANTED IN PART; NEW DATE TO BE DETERMINED.

2. NOTIFICATION OF DISCIPLINARY ACTION:

None

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

- a. Cercle National, 550 Rockland Avenue, Goffstown, NH.
Social Club License #7601 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22, V(h)(1) – failed to file a club financial report by the 15th of the following month.
Date of violation: December 10, 2014.
Case #: 14-443-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. 7 Eleven, 266 Main Dunstable Road, Nashua, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3319347 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 178:2/Liq. 603.01 – failed to attend a required training program within 45 days of the issuance of the liquor license.
Date of violation: November 13, 2014.
Case #: 14-432-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Antonia's Greek Kitchen & Pizzeria LLC, 35 Main Street, Wilton, NH 03086.
To be issued Restaurant On-Premise Beverage and Wine License #1499003 pursuant to RSA 178:20.
30 Day Temporary issued: 12/16/2014.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- b. Awad Enterprises LLC DBA Road Runner Convenience,
202 Route 108, Somersworth, NH 03878.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3323647
pursuant to RSA 178:18.
30 Day Temporary License issued: 12/18/2014.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**
- c. Flores Enterprise LLC DBA Lolita's Convenience, 159 Amherst Street, Nashua, NH 03064.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3324147
pursuant to RSA 178:18.
30 Day Temporary License issued: 12/17/2014.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**
- d. Katz's Deli & Market LLC, 23 Ham Street, Dover, NH 03820.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3323447
pursuant to RSA 178:18.
30 Day Temporary License issued: 12/16/2014.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**
- e. Seabrook One Stop, Inc. DBA Portsmouth Truck Stop-North,
1010 Route 1 Bypass North, Portsmouth, NH 03801.
To be issued Retail Tobacco, Tobacco Only License #133517 pursuant to RSA 178:19-a.
30 Day Temporary issued: 12/15/2014.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**
- f. Seabrook One Stop, Inc. DBA Portsmouth Truck Stop - South,
981 Route 1 Bypass South, Portsmouth, NH 03801.
To be issued Retail Tobacco, Tobacco Only License #133417 pursuant to RSA 178:19-a.
30 Day Temporary issued: 12/15/2014.
**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 DECEMBER 19, 2014: 1,106

- a. Myuge, Inc., 163 Camino Dorado, Napa, CA 94110.
Direct Shipper Permit pursuant to RSA 178:27.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**
- b. Pheasant Valley Vineyard & Winery, Inc., 3890 Acree Drive, Hood River, OR 97031.
Direct Shipper Permit pursuant to RSA 178:27.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**
- c. Sewc, LLC DBA SE Wine Collective, 2425 SE 35th Place, Portland, OR 97214.
Direct Shipper Permit pursuant to RSA 178:27.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**
- d. Solene, Inc. DBA Clos Solene, 3050 Limestone Way, Paso Robles, CA 93446.
Direct Shipper Permit pursuant to RSA 178:27.
**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**

- e. Unites States Distilled Products Co. DBA Prestige Wine and Spirits Group,
1607 South 12th Street, Princeton, MN 55371.
To be issued Beverage Vendor License #72631 pursuant to RSA 178:15.
Manufacturer: CDZ VINI SRL
**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:

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.
Requested approval for an outside area, to wit, an outside atrium area at 7 Eagle Square, Concord, NH with a
capacity of 206 from 6:00 p.m. on December 31, 2014 to 1:00 am on January 1, 2015, sanctioned off
appropriately pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDED.

10. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

11. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

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

None

13. NOTIFICATION OF COMPLIANCE CHECKS:

None

14. HEARING RESULTS:

- a. Lilliana's Diner, 43 Ashworth Avenue, Hampton, NH.
Restaurant Beverage and Wine License #1489803 licensed pursuant to RSA 178:20.
Cited for violation of RSA 178:2/Liq. 603.01 – failed to attend a required training program within 45
days of the issuance of the liquor license.
Date of violation: September 12, 2014.
Case #: 14-378-OF.
HEARING HELD DECEMBER 18, 2014; DECISION PENDING.

- 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.
HEARING HELD DECEMBER 18, 2014; DECISION PENDING.

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

Young's General Store LLC, 2792 North Main Street, Pittsburg, NH 03592.
Agency Store Off-Premise Liquor Only License #980504 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.
INVESTIGATOR SOARES CONDUCTED A PREMISE INSPECTION ON OCTOBER 23, 2014 IN PREPARATION FOR RENEWAL ON FEBRUARY 1, 2015. 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.
DEPUTY COMMISSIONER MILLIGAN MOVED TO REMOVE THIS ITEM FROM THE TABLE; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED; DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

None

17. LATE ITEM FOR COMMISSION APPROVAL:

Better Business...Better Foods, Inc. DBA Francestown Village Foods,
183 Elm Street, Unit 13, Milford, NH 03055.
To be issued Combination Off-Premise Beverage & Wine License #3322947 pursuant to RSA 178:18.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.