

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, FEBRUARY 4, 2016

1. HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREETS, CONCORD, NH:

February 26, 2016 @ 10:30 a.m.:

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 intoxicated or who a reasonable and prudent person would know is intoxicated.

Date of violation: March 13, 2015.

Case #: 15-153-OF.

ASSENTED-TO MOTION TO CONTINUE FILED BY THE LICENSEE AND GRANTED; NEW HEARING DATE IS 1/22/16 @ 11:30 A.M.

ASSENTED-TO MOTION TO CONTINUE FILED BY THE DOE AND GRANTED ON 1/20/16.

2. NOTIFICATION OF DISCIPLINARY ACTION:

a. American Legion Post 17, Route 3, Groveton, NH.

Veterans Club License #29539 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 intoxicated or who a reasonable and prudent person would know is intoxicated.

Date of violation: September 22, 2015.

Case #: 15-439-OF.

An administrative fine of \$1,000, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for two (2) days to come forward from a violation adjudicated on August 6, 2015 and an additional three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation for a total of four (4) days to serve commencing February 21, 2016 with re-grant on February 25, 2016, Officer Larry Blodgett shall attend a Management Training Seminar (MTS) in a classroom by March 16, 2016 and Joy Collins shall attend a Total Education in Alcohol Management (TEAM) seminar in a classroom by February 20, 2016.

COMMISSION ACKNOWLEDGED.

b. Koto Steak House, 288 Plainfield Road, West Lebanon, NH.

Restaurant On-Premise Beverage/Wine/Liquor License #1266503 licensed pursuant to RSA 178:21.

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.

Date of violations: May 10, 2015.

Case #: 15-231-OF.

For violation of RSA 179:5, I, administrative fine of \$500, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days with two (2) days held in abeyance for twelve (12) months pending no like violation to occur on February 21, 2016 and Manager, Hui Zhang shall attend a Management Training Seminar (MTS) in a classroom by March 1, 2016; for violation of RSA 179:44, an administrative fine of \$250.

COMMISSION ACKNOWLEDGED.

c. Town & Country Motor Inn, Route 2, Shelburne, NH.

Hotel Full Service With Lounge License #216102 licensed pursuant to RSA 178:21, II(b)(1)/178:22, V(k).

Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was intoxicated or who a reasonable and prudent person would know is intoxicated.

Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.

Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in an area not approved by the Commission.

Date of violations: November 22, 2015.

Case #: 15-471-OF.

For violation of RSA 179:5, I, an administrative fine of \$500, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended in the function room where the violation occurred for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing February 20, 2016 with re-grant on February 22, 2016, the Licensee shall contact the Division of Enforcement's training unit by February 10, 2016 to schedule a dual management and server training seminar for all managers and servers to take place within thirty (30) days; for violation of RSA 179:20, the Licensee shall pay an administrative fine of \$250; and for violation of RSA 179:27, the Licensee shall pay an administrative fine of \$250.

COMMISSION ACKNOWLEDGED.

- d. Waterville Estate Village District, 562 Winterbrook Road, Campton, NH.
Sports Entertainment License #572005 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 intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: July 4, 2015.
Case #: 15-299-OF.
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 upper pool area only for three (3) days with two (2) days held in abeyance for twelve (12) months pending no like violation to occur on July 9, 2016.
COMMISSION ACKNOWLEDGED.

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

- a. East Side Club, 786 Massabesic Street, Manchester, NH.
Social Club License #11001 licensed pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22/Liq. 501.05 – failed to sign in a guest.
Date of violation: December 31, 2015.
Case #: 16-3-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. Pasta Loft Event Center, 241 Union Square, Milford, NH.
Restaurant Full Service With Lounge License #1514603 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Dates of violation: October 9 - 10, 2015.
Case #: 15-423-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- c. Penuche's Ale House, 4 Canal Street, Nashua, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1040103 licensed pursuant to RSA 178:21.
Cited for violation of RSA 178:21, II(a)(1) – failed to have full course meals readily available, promoted and served to tables.
Date of violation: December 19, 2015.
Case #: 15-491-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Burnt Timber Brewing LLC, 354 Haines Hill Road, Wolfeboro, NH 03894.
To be issued Beverage Manufacturer License #290918 pursuant to RSA 178:12.
Recommendation: **approval brewing only, no tasting or retail sales.**
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

- b. Concord Hospital Trust, Grappone Conference Center, 70 Constitution Drive, Concord, NH 03301.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 3/4/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Five Rivers Conservation Trust,
Dunbarton Congregational Church, 6 Stark Highway, Dunbarton, NH 03046.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 2/27/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. George Calef Fine Foods LLC, 495 Calef Highway, Route 125, Barrington, NH 03825.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3336147 pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 1/25/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Leafe, Melisa, 67 Edouard Street, Manchester, NH 03103.
To be issued Alcohol Consultant #505344 pursuant to RSA 178:27-a.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Marino, Frank E. DBA Black Cove Beverages, 343 DWH, US Route 3, Meredith, NH 03253.
To be issued Rectifier Off-Premise Wine and Liquor License #280932 pursuant to RSA 178:7.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. Prescott Park Arts Festival, St. John's Church, 101 Chapel Street, Portsmouth, NH 03801.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 2/19/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- h. PRRM Management LLC DBA Jewel Nightclub, 61 Canal Street, Manchester, NH 03101.
To be issued Ballroom License #1152911 pursuant to RSA 178:22, V(c).
30 Day Temporary License issued: 1/25/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- i. Salem Animal Rescue League, Brookstone Park Events Center, 14 NH-111, Derry, NH 03038.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 2/13/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- j. Spencer Brewery LLC, (The), 167 North Spencer Road, Spencer, MA 01562.
To be issued Beverage Vendor License #75831 pursuant to RSA 178:15.
Manufacturer: Spencer Brewery LLC, Spencer, MA.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- k. White Birch Hospitality LLC DBA Panevino, 313 Route 125, Brentwood, NH 03833.
To be issued Restaurant On-Premise Beverage and Wine License #1519303 pursuant to RSA 178:20.
30-Day Temporary License issued: 1/22/2016.
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. **DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING JANUARY 29, 2016: 1,159

Paix Sur Terre LLC, 2174 Hwy. 46 West, Paso Robles, CA 93446.

Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.

DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

7. **DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

8. **NOTIFICATION OF APPROVED PETITIONS:**

- a. Craft Brew Alliance, Inc. DBA Redhook Ale Brewery,
1 Redhook Way, Pease International, Portsmouth, NH 03801.
Restaurant Full Service With Lounge License #1036603 licensed pursuant to
RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Date petition received: 12/23/2015.
Requested approval for authorization of other areas, to wit, an outside tented area with a capacity of
2,500 for event date January 23, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. JPA III Management Co., Inc. DBA Radisson Hotel @ CTR of NH,
700 Elm Street, Manchester, NH 03101.
Hotel On-Premise Cocktail Lounge License #214602 licensed pursuant to RSA 178:22, V.
Requested permission to extend the hour of service for the Presidential Primaries from 1:00 am to
1:30 am, with glasses off the table by 2:00 am on February 5, 2016 through February 9, 2016
pursuant to RSA 179:17, II (b).
COMMISSION ACKNOWLEDGED.

9. **NOTIFICATION OF APPROVED FELON EXCEPTIONS:**

- a. Applebee's Neighborhood Grill & Bar, 232 Indian Brook Drive, Dover, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1430303 licensed pursuant to RSA 178:21.
Requested approval for a Felon Exception for Aaron George McGuire as a Person In Charge pursuant
to RSA 178:4, RSA 179:23 and Liq. 404.06(c).
Case #: 15-392-OF.
COMMISSION ACKNOWLEDGED.
- b. Halcyon Club, 11 Central Street, Dover, NH.
Social Club License #15001 licensed pursuant to RSA 178:22, V(h).
Requested approval for a Felon Exception for Charles Van Coppenolle as a Person In Charge
pursuant to
RSA 178:4, RSA 179:23 and Liq. 404.06(c).
Case #: 16-10-OF.
COMMISSION ACKNOWLEDGED.

10. **NOTIFICATION OF DENIED FELON EXCEPTIONS:**

None

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

None

12. **NOTIFICATION OF COMPLIANCE CHECKS:**

None

13. **COMMISSION DECISIONS PENDING AFTER HEARING:**

None

14. **NOTIFICATION OF HEARING RESULTS:**

None

15. **MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:**

- a. Anheuser-Busch LLC, One Busch Place, St. Louis, MO 63118.
Beverage Vendor License #4631 licensed pursuant to RSA 178:15.
Date petition received: 1/27/2016.
Requests approval of Bud Light Lime Apple Water-Melon Rita with an alcohol content of 8% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Labatt USA Operating Co. LLC DBA Labatt USA, 50 Fountain Plaza, Suite 900, Buffalo, NY 14202.
Beverage Vendor License #47631 licensed pursuant to RSA 178:15.
Date petition received: 1/22/2016.
Requests approval of Labatt Max Black Cherry with an alcohol content of 7.97% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Labatt USA Operating Co. LLC DBA Labatt USA, 50 Fountain Plaza, Suite 900, Buffalo, NY 14202.
Beverage Vendor License #47631 licensed pursuant to RSA 178:15.
Date petition received: 1/27/2016.
Requests approval of Labatt Max Punch with an alcohol content of 7.97% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
Recommendation: Approval.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

16. **MISCELLANEOUS ITEMS FOR INFORMATION ONLY:**

- a. Easter Seals NH, Inc., Radisson Hotel, 700 Elm Street, Manchester, NH 03101.
To be issued an off sale special Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:17, II.
Event date: 1/28/2016.
Recommendation: Expedited approval.
Commission approved on 1/22/2016.
COMMISSION ACKNOWLEDGED.

- b. Tuckerman Brewing Co. LLC, 66 Hobbs Street, Conway, NH 03818.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 1/31/2016.
Recommendation: Expedited approval.
Commission approved on 1/22/2016.
COMMISSION ACKNOWLEDGED.