

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, MARCH 3, 2016

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

Date to be determined:

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.

HEARNG CONTINUED AT THE REQUEST OF THE DOE; REQUEST GRANTED.

2. NOTIFICATION OF DISCIPLINARY ACTION:

a. Bob's Variety, 71 Hillside Avenue, Berlin, NH.

Combination Off-Premises Beverage/Wine/Tobacco License #3332047 licensed pursuant to RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 178:3, VIII – licensee failed within thirty (30) days to update and amend any change in the information stated on the license application.

Date of violation: January 15, 2016.

Case #: 16-12-OF.

\$100 administrative fine.

COMMISSION ACKNOWLEDGED.

b. Fire & Ice Hookah Lounge, 990 Elm Street, Manchester, NH.

Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #403106 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.

Cited for violation of RSA 179:32, I – purchased supplies of liquor and wine from other than the Commission or as provided by law.

Cited for violation of RSA 179:32, II – purchased beer from other than a holder of a wholesaler distributor license.

Cited for violation of RSA 179:35 – failed to retain sales slips on the premises or readily available for examination by the commission or its liquor investigators for a period of sixty (60) days.

Date of violations: January 6, 2016.

Case #: 16-6-OF.

For violation of RSA 178:20-a, an administrative fine of \$100; for violation of RSA 179:35, an administrative fine of \$250; for violation of RSA 179:32, I, an administrative fine of \$250 suspended for twelve (12) months pending no like violation; and for violation of RSA 179:32, II, an administrative fine of \$250 suspended for twelve (12) months pending no like violation.

COMMISSION ACKNOWLEDGED.

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

None

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Girls at Work, Inc., NH Institute of Art, 148 Concord Street, Manchester, NH 03101.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 3/19/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Harvey, John DBA Blackstone Brewing Company, 7 Austin Road, Amherst, NH 03031.
To be issued Beverage Manufacturer License #290818 pursuant to RSA 178:12.
No retail sales or tasting room.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Heineken USA, Inc., 360 Hamilton Avenue, Suite 1103, White Plains, NY 10601.
To be issued Beverage Vendor License #78031 pursuant to RSA 178:15.
Manufacturer: City Brewing Company, Latrobe, PA.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Hong Juo LLC DBA Pine Garden, 85 Portsmouth Avenue, Exeter, NH 03833.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1523303 pursuant to RSA 178:21.
30 Day Temporary License issued: 2/24/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Howe Library Corporation, 13 South Street, Hanover, NH 03755.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 3/19/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Lithermans LLC DBA Lithermans Limited, 126B Hall Street, Concord, NH 03301.
To be issued Nano Brewery Beer and/or Specialty Beer License #203922 pursuant to RSA 178:12-a.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. Medina, Ana DBA El Paisano Minimarket, 74 West Hollis Street, Nashua, NH 03060.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3340447 pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 2/19/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- h. Peterborough Historical Society DBA Monadnock Center for History & Culture, 19 Grove Street, Peterborough, NH 03458.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 3/19/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- i. Sawyer, Jill, 101 Ashley Drive, Manchester, NH 03103.
To be issued Alcohol Consultant #505744 pursuant to RSA 178:27-a.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- j. Union Coffee Company LLC, 42 South Street, Milford, NH 03055.
To be issued Restaurant On-Premise Beverage and Wine License #1498203 pursuant to RSA 178:20.
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 FEBRUARY 26, 2016: 1,157

- a. Beltane Ranch, Inc., 21481 Eighth Street E, Suite #25, Glen Ellen, CA 95442.
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.
- b. JB Neufeld LLC, 2620 Draper Road, Yakima, WA 98903.
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.
- c. Schlossadler, Inc. DBA Schlossadler Wines, 1625 Ord Way, Oceanside, CA 92056.
Direct Shipper Permit Importer, Wholesaler or Retailer pursuant to RSA 178:27.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- d. Vintage Wine Estates, Inc. DBA Swanson Vineyards, 1271 Manley Lane, Rutherford, CA 94573.
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.
- e. Vinoce Vineyards LLC, 880 Vallejo Street, Napa, CA 94559.
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. Luciano, Richard DBA Merlino's Steak House,
1717 White Mountain Highway, North Conway, NH 03860.
Restaurant On-Premise Cocktail Lounge License #432903 licensed pursuant to RSA 178:22.
Date petition received: 2/5/2016.
Requested approval for an outside area, to wit, an outside tented area with a capacity of 50 for an event date of April 2, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Pat's Peak Skiing LLC DBA Pat's Peak, 686 Flanders Road, Henniker, NH 03242.
Sports Recreation Facility License #572105 licensed pursuant to RSA 178:22, V(v).
Date petition received: 2/19/2016.
Requested approval for an outside area, to wit, an outside fenced-in area with a capacity of 240 an for event date of March 19, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. RM Management and Operation LLC, 620 Ragged Mountain Road, Danbury, NH 03230.
Sports Recreation Facility License #6016905 licensed pursuant to RSA 178:22, V(v).
Date petition received: 2/8/2016.
Requested approval for an outside area, to wit, an outside tented area with a capacity of 300 for event date of February 20, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. Vineyard at Seven Birches LLC DBA Seven Birches, 1746 Benton Road, North Haverhill, NH 03774.
Wine Manufacturer Off-Premise Wine Only License #563430 licensed pursuant to RSA 178:8.
Date petition received: 12/22/2015.

Requested approval for authorization to transfer business location, to wit, to transfer location from 1746 Benton Road in North Haverhill, NH to 22 South Mountain Drive in Lincoln, NH on March 7, 2016 pursuant to RSA178:29, VIII.

COMMISSION ACKNOWLEDGED.

9. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

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:

Great Divide Brewing Company, 2201 Arapahoe Street, Denver, CO 80205.

Beverage Vendor License #74231 licensed pursuant to RSA 178:15.

Date petition received: 2/28/2016.

Requests approval of Great Divide Barrel Aged Yeti Imperial Stout with an alcohol content of 12.48% 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. New England Disabled Sports, Days Inn Banquet Hall, 557 US Route 3, Lincoln, NH 03251.

To be issued an off-sale special, Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:17, II.

Event date: 3/5/2016.

Recommendation: Expedited approval.

Commission approved on 2/24/2016.

COMMISSION ACKNOWLEDGED.

b. Nolan's Brick Oven Bistro LLC,

Wolfeboro Dockside Parking Area, Main Street, Wolfeboro, NH 03894.

To be issued a Beer Festival Beverage License pursuant to RSA 178:30.

Event date: 3/5/2016.

Recommendation: Expedited approval.

Commission approved on 2/26/2016.

COMMISSION ACKNOWLEDGED.