

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, MARCH 31, 2016

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

April 8, 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.

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

2. NOTIFICATION OF DISCIPLINARY ACTION:

None

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

- a. Bartlett Street Superette, 316 Bartlett Street, Manchester, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #78747 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: February 25, 2016.
Case #: 16-63-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. Dos Amigos Burritos, 107 State Street, Portsmouth, NH.
Restaurant Full Service With Lounge License #1251703 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.
Date of violation: February 20, 2016.
Case #: 16-92-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- c. Pint Public House, 1111 Elm Street, Manchester, NH.
Restaurant Full Service With Lounge License #1475403 licensed pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.
Date of violation: March 20, 2016.
Case #: 16-99-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- d. Professor Sports Pub, 290 Derry Road, Hudson, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1466403 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: March 1, 2016.
Case #: 16-73-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. 3 Broadway St., Inc. DBA Milano's Mini Market, 3 Broadway Street, Concord, NH 03301.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3341847 pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 3/24/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; TH E MOTION PASSED.
- b. Amherst St. Smokers Haven LLC, 433 Amherst Street, Nashua, NH 03060.
To be issued Retail Tobacco, Tobacco Only License #137717 pursuant to RSA 178:19-a.
30 Day Temporary License issued: 3/23/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; TH E MOTION PASSED.
- c. Aoude, Inc. DBA Mr. Gas+, 1910 Suncook Valley Highway, Epsom, NH 03234.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3337747 pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 3/18/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; TH E MOTION PASSED.
- d. Chief Michael Maloney Memorial Fund, Inc.,
Town of Greenland, 575-579 Portsmouth Avenue, Greenland, NH 03840.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 4/24/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; TH E MOTION PASSED.
- e. Gas Max LLC, 69 Center Street, Goffstown, NH 03045.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3341947 pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 3/25/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; TH E MOTION PASSED.
- f. Hamptonthai LLC DBA Thai House Restaurant, 442 Lafayette Road, Hampton, NH 03842.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1523603 pursuant to RSA 178:21.
30 Day Temporary License issued: 3/22/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; TH E MOTION PASSED.
- g. Hampshire Gas and Convenience LLC, 485 Amherst Street, Nashua, NH 03063.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3341147 pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 3/22/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; TH E MOTION PASSED.
- h. Highland Wine Merchants LLC, 15 Mockingbird Hill Road, Windham, NH 03087.
To be issued Liquor and Wine Vendor License #116245 pursuant to RSA 178:9.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; TH E MOTION PASSED.
- i. Highland Wine Merchants LLC, 15 Mockingbird Hill Road, Windham, NH 03087.
To be issued Liquor and Wine Representative Off-Premise Wine and Liquor License #607735 pursuant to RSA 178:10.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; TH E MOTION PASSED.

- j. Jass Boxing, Tri City Christian Academy Gym, 12 Rocky Hill Road, Somersworth, NH 03878.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 4/9/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; TH E MOTION PASSED.
- k. Main Street Grill and Bar LLC, 32 Main Street, Pittsfield, NH 03263.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1523803 pursuant to RSA 178:21.
30 Day Temporary License issued: 3/21/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; TH E MOTION PASSED.
- l. Make-A-Wish New Hampshire, Tanger Outlets, Suite 132, 120 Laconia Road, Tilton, NH 03276.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 4/7/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; TH E MOTION PASSED.
- m. McKean, III, Edgar D. DBA Xintury NH, 1 Wildwood Road, Laconia, NH 03246.
To be issued Liquor and Wine Vendor License #115545 pursuant to RSA 178:9.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; TH E MOTION PASSED.
- n. McKean, III, Edgar D. DBA Xintury NH, 1 Wildwood Road, Laconia, NH 03246.
To be issued Liquor and Wine Representative Off-Premise Wine and Liquor License #607635 pursuant to RSA 178:10.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; TH E MOTION PASSED.
- o. Rio Burrito, Inc., 276 Main Street, Tilton, NH 03276.
To be issued Restaurant On-Premise Beverage and Wine License #1523703 pursuant to RSA 178:20.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; TH E MOTION PASSED.
- p. Saigon Noodle LLC DBA Saigon Noodles Restaurant, 342 Lincoln Street, Manchester, NH 03103.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1521503 pursuant to RSA 178:21.
30 Day Temporary License issued: 3/21/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; TH E MOTION PASSED.
- q. Winenot LLC DBA Winenot Boutique, 170 Main Street, Nashua, NH 03060.
To be issued Combination Off-Premise Beverage and Wine License #3340647 pursuant to RSA 178:18.
30 Day Temporary License issued: 3/21/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; TH E 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 MARCH 25, 2016: 1,162

The Cellar LLC, 280 Lake Jewell Drive, Carterville, IL 62918.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; TH E MOTION PASSED.

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. NOTIFICATION OF APPROVED PETITIONS:

- a. Agave Azul LLC, 94-96 Main Street, Nashua, NH 03060.
Restaurant On-Premise Beverage/Wine/Liquor License #1481303 licensed pursuant to RSA 178:21.
Date petition received: 3/22/2016.
Requested approval for an outside area, to wit, an outside patio area with a capacity of 13 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Barnport LLC DBA Paddy's - An American Grille, 27 Intl. Drive, Pease Road, Portsmouth, NH 03801.
Restaurant On-Premise Cocktail Lounge License #1190803 licensed pursuant to RSA 178:22.
Date petition received: 3/15/2016.
Requested approval for an outside area, to wit, a tented area with a capacity of 106 for event date April 3, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Flagg Hill Distillery LLC, 297 North River Road, Lee, NH 03861.
Liquor Manufacturer License #287319 licensed pursuant to RSA 178:6.
Date petition received: 3/14/2016.
Requested approval for storage in another area, to wit, to store finished product for aging in another area of the distillery pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. Funktion Spirits & Spoonfuls LLC, 931 Elm Street, Manchester, NH 03101.
Restaurant On-Premise Beverage/Wine/Liquor License #1511703 licensed pursuant to RSA 178:21.
Date petition received: 3/21/2016.
Requested approval for an outside area, to wit, an outside patio area with a capacity of 24 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- e. Wal-Mart Stores East LP DBA Wal-Mart Store 2399, 300 Keller Street, Manchester, NH 03103.
Combination Off-Premise Beverage/Wine/Tobacco License #3213147 licensed pursuant to RSA178:18 and RSA 178:19-a.
Date petition received: 2/24/2016.
Requested approval for authorization to transfer business location, to wit, to transfer the location from 300 Keller Street, Manchester, NH to 725 Gold Street, Manchester, NH on April 20, 2016 as indicated in a letter dated 2/24/2016 and pursuant to RSA178:29, VIII.
COMMISSION ACKNOWLEDGED.

9. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

Pizzeria Uno, Fort Eddy Road, Concord, NH.
Restaurant Full Service With Lounge License #1000203 licensed pursuant to
RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Requested approval for a Felon Exception for Latoya Fletcher as a Person In Charge pursuant to RSA 178:4,
RSA 179:23 and Liq. 404.06(c).
Case #: 16-32-OF.
COMMISSION ACKNOWLEDGED.

10. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

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

Raymond, NH.

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. Mass Bay Brewing Company, Inc. DBA Mass Bay Brewing Co., Inc.,
306 Northern Avenue, Boston, MA 02210.
Beverage Vendor License #9131 licensed pursuant to RSA 178:15.
Date petition received: 3/16/2016.
Requests approval of Harpoon Artic Ale with an alcohol content of 12.78% 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; TH E MOTION PASSED.
- b. Sierra Nevada Brewing Co., Inc., 1075 E. 20th Street, Chico, CA 95928.
Beverage Vendor License #17731 licensed pursuant to RSA 178:15.
Date petition received: 3/17/2016.
Requests approval of Barrel-Aged Narwhal Imperial Stout with an alcohol content of 12.9% 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; TH E MOTION PASSED.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

Brewers Retailers Entrepreneurs and Wholesalers for NH, Inc., DBA Brew NH,
Tupelo Music Hall, 2 Young Road, Londonderry, NH 03053.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 4/3/2016.
Recommendation: Expedited approval.
Commission approved on 3/24/2016.
COMMISSION ACKNOWLEDGED.