

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, APRIL 7, 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:

- a. Good Times Smoke Shop Nashua, 449 Amherst Street, Nashua, NH.
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #400606 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 29, 2016.
Case #: 16-14-OF.
\$100 administrative fine.
COMMISSION ACKNOWLEDED.
- b. Lakes Region Casino, 1265 Laconia Road, Belmont, NH.
Restaurant Full Service With Lounge License #1441703 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 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.
Date of violations: January 9, 2016.
Case #: 16-7-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 cocktail lounge only for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing April 8, 2016 with re-grant on April 10, 2016, Meghan Doptis shall attend a Management Training Seminar (MTS) in a classroom by April 20, 2016 and all servers and dealers currently on staff, names to be provided by the licensee when contacting the training unit, shall complete a Total Education in Alcohol Management (TEAM) seminar online by April 20, 2016; for violation of 179:20, II, an administrative fine of \$100.
COMMISSION ACKNOWLEDED.

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

- a. J D Chasers Bar-N-Grill, 2D Burnham Road, Hudson, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1422403 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:40, II – refilled bottles of legally purchased beverage or liquor.
Date of violation: February 9, 2016.
Case #: 16-42-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDED.
- b. McGarvey's, 1097 Elm Street, Manchester, NH.
Restaurant Full Service With Lounge License #1178903 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 #: 16-100-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDED.
- c. Smokers Haven, 433 Amherst Street, Nashua, NH.
Retail Tobacco License #132617 licensed pursuant to RSA 126-K:4.
Cited for violation of RSA 178:1, VI – sold tobacco without a license.
Date of violation: March 10, 2016.
Case #: 16-90-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Distillery NO 209 LTD Napa California, Inc.,
Pier 50, Shed B, Terry A. Francois Boulevard, San Francisco, CA 94158.
To be issued Liquor and Wine Vendor License #115645 pursuant to RSA 178:9.
COMMISSION APPROVED.
- b. Giri Portsmouth LLC DBA Hampton Inn Portsmouth Central,
99 Durgin Lane, Portsmouth, NH 03801.
To be issued Combination Off-Premise Beverage and Wine License #3341047
pursuant to RSA 178:18.
30 Day Temporary License issued: 3/28/2016.
COMMISSION APPROVED.
- c. Gomarlo's Supermarket LLC, 765 West Swanzey Road, Swanzey, NH 03446.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3342147
pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 3/31/2016.
COMMISSION APPROVED.
- d. Hunter Lauren LLC DBA Gale Motor Co. Eatery, 36 Lowell Street, Manchester, NH 03101.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1524703
pursuant to RSA 178:21.
30 Day Temporary License issued: 3/30/2016.
COMMISSION APPROVED.
- e. MHW LTD, 1129 Northern Boulevard, Suite 312, Manhasset, NY 11030.
To be issued Beverage Vendor License #78131 pursuant to RSA 178:15.
Manufacturer: Belhaven Brewery.
COMMISSION APPROVED.
- f. MHW LTD, 1129 Northern Boulevard, Suite 312, Manhasset, NY 11030.
To be issued Beverage Vendor License #78231 pursuant to RSA 178:15.
Manufacturer: Charles Wells Brewery LTD.
COMMISSION APPROVED.

- g. NSF Foods LLC DBA NSF Greenside Grille, 94 Church Street, Rochester, NH 03839.
To be issued Sports Recreation Facility Cocktail Lounge License #6019505 pursuant to RSA 178:22, V(v).
30 Day Temporary License issued: 3/30/2016.
COMMISSION APPROVED.
- h. P & P Market LLC DBA Milton Mills Variety Store,
30 Main Street, Milton Mills, NH 03852.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3338247 pursuant to RSA 178:18 & RSA 178:19-a.
30 Day Temporary License issued: 3/29/2016.
COMMISSION APPROVED.
- i. Roman Catholic Bishop of Manchester DBA Sacred Heart School,
289 Lafayette Road, Hampton, NH 03842.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 4/16/2016.
COMMISSION APPROVED.
- j. Win-It-Too, Inc. DBA Global Beer Network, 325 North Main Street, 15A, Middleton, MA 01949.
To be issued Beverage Vendor License #77731 pursuant to RSA 178:15.
Manufacturer: Van Eecke.
COMMISSION APPROVED.
- k. Win-It-Too, Inc. DBA Global Beer Network, 325 North Main Street, 15A, Middleton, MA 01949.
To be issued Beverage Vendor License #77831 pursuant to RSA 178:15.
Manufacturer: De Silly.
COMMISSION APPROVED.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

6. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING APRIL 1, 2016: 1,157

- a. Brian Benson DBA Brian Benson Cellars, 2915 Limestone Way, Paso Robles, CA 93446.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
COMMISSION APPROVED.
- b. Kestrel Properties LLC DBA Kestrel Vintners, 2890 Lee Road, Porsser, WA 99350.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
COMMISSION APPROVED.
- c. Pott Wine, 6126 Silverado Trail, Napa, CA 94558.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
COMMISSION APPROVED.
- d. The Wine Group, Inc., 1883 London Ranch Road, Glen Ellen, CA 95442.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
COMMISSION APPROVED.

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. NOTIFICATION OF APPROVED PETITIONS:

- a. Dube & Robinson LLC, 55 Chocorua Road, Tamworth, NH 03886.
Wine Manufacturer Off-Premise Wine Only License #566030 licensed pursuant to RSA 178:8.
Date petition received: 3/16/2016.
Requested approval for authorization of other areas, to wit, Town of Tamworth Farmers' Market at

Unitarian Universalist Fellowship of the Eastern Slopes, 30 Tamworth Road, Tamworth, NH between 9:00 am and 1:00 pm from May 14, 2016 to October 22, 2016 pursuant to RSA 178:24 and Liq. 404.05.

COMMISSION ACKNOWLEDED.

- b. EZ Stop III LLC, 905 Route 16, Loudon, NH 03307.
Combination Off-Premise Beverage/Wine/Tobacco License #3322247.
Licensed pursuant to RSA 178:18 and RSA 178:19-a.
Date petition received: 3/30/2016.
Requested approval for storage in another area, to wit, to store beer in another area in Building 2, located at 905 Route 106, Loudon, NH during Nascar Race Weeks July 12, 2016 to July 22, 2016 and September 20, 2016 to September 30, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDED.
- c. NSF Foods LLC DBA NSF Greenside Grille, 94 Church Street, Rochester, NH 03839.
Sports Recreation License #6019505 licensed pursuant to RSA 178:22, V(v).
Date petition received: 3/30/2016.
Requested approval to use a mobile cart, to wit, a mobile cart to be used on the fairways for sales and service of alcohol pursuant to Liq. 206.10 (a)(1), Liq. 404.05 (a)(1) and Liq. 509.
COMMISSION ACKNOWLEDED.
- d. Plymouth Lodge BPOE 2312 Elks, Route 175, Holderness, NH 03245.
Social Club On-Premise Cocktail Lounge License #30201 licensed pursuant to RSA 178:22, V(h).
Date petition received: 3/24/2016.
Requested approval for outside areas, to wit, two tented areas and an outside area with a total capacity of 400 for event date April 1, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDED.

9. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

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:

None

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

Pine Hill Waldorf School, High Mowing School, 222 Isaac Frye Highway, Wilton, NH 03086.
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.
Recommendation: Expedited approval.
Commission approved on 3/29/2016.
COMMISSION ACKNOWLEDED.