

AGENDA FOR THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, APRIL 14, 2016

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

April 15, 2016 at 1:00 p.m.:

Rivas Meat Market, 158 Spruce Street, Manchester, NH.

Combination Off-Premises Beverage/Wine/Tobacco License #3336047 licensed pursuant to RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 178:2 – failed to attend a required training program within 45 days of the issuance of the liquor license.

Date of violation:

Case #:

2. NOTIFICATION OF DISCIPLINARY ACTION:

- a. 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.
Cited for violation of Liq. 603.06 – failed to comply with requirements of a Commission order.
Dates of violations: March 13, 2015 & April 8, 2016.
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.
Case was settled prior to the hearing; an administrative fine of \$1,000 with \$250 suspended for twelve (12) months pending no like violation, four (4) points shall be assessed to the liquor license and the license to sell alcohol shall be suspended for five (5) days with two (2) days held in abeyance for twelve (12) months pending no like violation commencing April 15, 2016 with re-grant on April 18, 2016.
- b. Gabby's Kitchen and Gossip Lounge, 503 – 507 Maple Street, Manchester, NH.
Restaurant Full Service With Lounge License #1479003 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 – 2 counts.
Date of violation: February 12, 2016.
Case #: 16-43-OF.
An administrative fine of \$1,000 with \$500 suspended for twelve (12) months pending no like violation, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for four (4) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing April 14, 2016 with re-grant on April 17, 2016, Walter Rodriguez shall attend a Management Training Seminar (MTS) in a classroom by April 30, 2016 and all servers and all security staff members including Morgan Bianco, Kellina Abrahams-Laraque, Luz-Noemi Velez, Shaquwanda Allen, Tesha Dennett and Jeffrey Small shall complete a Total Education in Alcohol Management (TEAM) seminar online by April 30, 2016.
- c. New Happy Garden Restaurant, 47 Hamel Drive, Manchester, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1224203 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.

Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person – 4 counts.

Cited for violation of RSA 179:8, I – failed to require the purchaser whose age was in question to furnish identification that such person was 21 years of age – 4 counts.

Dates of violations: January 30, 2016 & February 11, 2016.

Case #: 16-29-OF & 16-48-OF.

For violation of RSA 179:5 relative to service to minors, an administrative fine of \$2,000 with \$1,000 suspended for twelve (12) months pending no like violation, four (4) points shall be assessed to the liquor license and the license to sell alcohol shall be suspended for twelve (12) days with five (5) days held in abeyance for twelve (12) months pending no like violation commencing April 20, 2016 with regrant on April 27, 2016; for violation of RSA 179:5 relative to over-service, an administrative fine of \$500 dollars, four (4) points shall be assessed to the liquor license and the license to sell alcohol shall be suspended for three (3) days held in abeyance for twelve (12) months pending no like violation; for violation of RSA 179:8, an administrative fine of \$400 with \$200 suspended for twelve (12) months pending no like violation; Qiongying Fang shall contact the Division of Enforcement's training unit to schedule her attendance in a Management Training Seminar (MTS) that will take place between May 9, 2016 and May 31, 2016.

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

- a. Naticook Fish and Grill, 454 Charles Bancroft Highway, Litchfield, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1485203 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:32, III – purchased beer from other than a licensed wholesale distributor, manufacturer, brew pub or as provided by law.
Cited for violation of RSA 178:21, II, (a)(2) – failed to open for evening meals five days a week.
Date of violations: January 6 - 27, 2016 for RSA 178:21 & September 29, 2015 to the present for RSA 179:32.
Case #: 15-478-OF.
\$350 administrative fine paid.
- b. Ri Ra Portsmouth, 22 – 26 Market Square, Portsmouth, NH.
Restaurant Full Service With Lounge License #1372903 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 an area not approved by the Commission.
Date of violation: March 25, 2016.
Case #: 16-102-OF.
\$250 administrative fine paid.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. 56 Main Street Bar & Grill LLC, 56 Main Street, Enfield, NH 03748.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1522203 pursuant to RSA 178:21.
30-day Temporary License issued: 4/6/2016.
- b. Bubba's Blues LLC, 62 Canal Street, Laconia, NH 03246.
To be Issued Restaurant On-Premise Beverage and Wine License #1524603 pursuant to RSA 178:20.
- c. Easter Seals NH, Inc., 555 Auburn Street, Manchester, NH 03103.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 4/20/2016.

- d. Jay Bholenath LLC DBA Bethlehem Village Store, 2065 Main Street, Bethlehem, NH 03574.
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: 4/7/2016.
- e. Medina, Juan DBA Yely's Restaurant, 197 Wilson Street, Manchester, NH 03103.
To be issued Restaurant On-Premise Beverage and Wine License #1423903 pursuant to RSA 178:20.
30-Day Temporary License issued: 4/1/2016.
- f. Melrye II LLC DBA Hagan's Grill, 6 High Street, Hampton, NH 03842.
To be issued Restaurant On-Premise Cocktail Lounge License #1518603 pursuant to RSA 178:22.
30-Day Temporary License issued: 4/5/2016.
- g. Newburyport Brewing Company, Lee USA Speedway, 380 Calef Highway, Lee, NH 03861.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 4/24/2016.
- h. Southeast New Hampshire Habitat for Humanity,
Mofatt-Ladd House and Garden, 154 Market 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: 6/9/2016.
- i. Topkayaker Geodyssey LLC DBA Wonalancet Honey Bee Company,
To be issued Retail Wine Off-Premise Wine License #3159546 pursuant to RSA 178:19.

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 8, 2016: 1,162

Vintage Berkeley LLC, 2113 Vine Street, Berkeley, CA 94709.
Direct Shipper Permit Importer, Wholesaler or Retailer pursuant to RSA 178:27.

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. NOTIFICATION OF APPROVED PETITIONS:

- a. 56 Main Street Bar & Grill LLC, 56 Main Street, Enfield, NH 03748.
Restaurant On-Premise Beverage/Wine/Liquor License #1009403 licensed pursuant to RSA 178:21.
Date petition received: 4/6/2016.
Requested a waiver for leasing/access to part of business, to wit, to allow a doorway connecting the basement to another business, to be locked at all times pursuant to RSA 179:48, IV.
- b. Bishop, Marshall & Carol DBA Gilmanton Winery & Vineyard,
528 Meadow Pond Road, Gilmanton, NH 03237.
Wine Manufacturer Off-Premise Wine Only License #563630 licensed pursuant to RSA 178:8.
Date petition received: 10/29/2014.
Requested approval for an another area in their establishment, to wit, an enlarged tasting room with a capacity of 100 pursuant to RSA 178:24 and Liq. 404.05.

- c. Mooselick Brewing Company LLC, 244 North Main Street, Troy, NH 03465.
Nano Brewery Beer and/or Specialty Beer License #203122 licensed pursuant to RSA 178:12-a.
Requested approval for an outside tasting area, to wit, a 30' X 30' outdoor area with a capacity of 52 pursuant to RSA 178:24 and Liq. 404.05.

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:

Littleton:

- a. Bailiwicks Fine Restaurant Wine & Martini Bar, 106 Main Street, Littleton, NH.
Restaurant Full Service With Lounge License #1340703 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 a minor during a compliance check.
Date of violation: March 18, 2016.
Case #: 16-97-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of the violation.
- b. Porfido's Market, 84 Main Street, Littleton, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #652147 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: March 18, 2016.
Case #: 16-97-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of the violation.
- c. That Dam Pit Stop, 1000 Monroe Road, Littleton, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3276447 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: March 18, 2016.
Case #: 16-97-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of the violation.
- d. Thayer's Inn, 111 Main Street, Littleton, NH.
Hotel Full Service With Lounge License #370302 licensed pursuant to RSA 178:21, II(b)(1)/178:22, V(k).
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.

Date of violation: March 18, 2016.

Case #: 16-97-OF.

Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of the violation.

- e. Tim-Bir Alley, 7 Main Street, Littleton, NH.
Sports Entertainment License #1337605 licensed pursuant to RSA 178:22, V(u)(1).
Cited for violation of RSA 179:5, I - served or sold alcoholic beverage to a minor during a compliance check.
Date of violation: March 18, 2016.
Case #: 16-97-OF.
Verbal warning, four (4) points assessed to the liquor license and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days of the date of the violation.

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:

None