

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, JULY 14, 2016

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

August 12, 2016 at 10:00 a.m.:

- a. Ikko Japanese Restaurant, 879 Central Avenue, Dover, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1499303 licensed pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage person.
Date of violation: November 7, 2015.
Case #: 15-459-OF.
6/9/16 - ASSENTED-TO MOTION TO CONTINUE FILED BY THE DOE AND GRANTED; NEW HEARING DATE TO BE DETERMINED.

September 9, 2016 at 10:00 a.m.:

- b. New Campus Convenience, 32 Main Street, Durham, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3229147 issued pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an underage individual.
Date of violation: April 21, 2016.
Case #: 16-140-OF.

2. NOTIFICATION OF DISCIPLINARY ACTION:

- a. Mei Wei, 7J Mill Road, Durham, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1391203 issued pursuant to RSA 178:21.
Cited for violation of RSA 179:5, II – allowed an underaged individual to possess or consume alcoholic beverage.
Cited for violation of RSA 179:8, I – failed to require the purchaser to furnish a motor vehicle driver's license issued by the state of New Hampshire, or a valid driver's license issued by another state, or province of Canada, which bears the date of birth, name, address and picture of the licensee.
Date of violations: May 5, 2016.
Case #: 16-152-OF.
For violation of RSA 179:5, II, an 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 one (1) day held in abeyance for twelve (12) months pending no like violation commencing July 20, 2016 and re-granted on July 22, 2016, Qing Lin-En Yu shall attend a Management Training Seminar (MTS) in a classroom within forty-five (45) days from the date of this fully executed agreement and all bartenders and servers shall complete a Total Education in Alcohol Management (TEAM) seminar online by August 31, 2016; for violation of RSA 179:8, an administrative fine of \$100 suspended for twelve (12) months pending no like violation.
COMMISSION ACKNOWLEDGED.
- b. Omni Hotels Management Corporation, Route 302, Bretton Woods, NH.
Hotel Full Service With Lounge License #366302 issued pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k).
Cited for violation of RSA 179:5, I - served or sold an alcoholic beverage to an individual who was visibly intoxicated or who a reasonable and prudent person would know is intoxicated – 2 counts.
Cited for violation of RSA 179:27, II - served or consumed alcoholic beverage in areas not approved by the Commission.
Cited for violation of RSA 179:44, I – gave away free drinks to customers, patrons, members or guests.
Cited for violation of RSA 179:60 – interfered with a Liquor Investigator.

Date of violations: November 28, 2015 & January 10, 2016.

Case #: 15-498-OF & 16-11-OF.

For violations of RSA 179:5, I, an administrative fine of \$6,500, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended in The Cave only for three (3) days held in abeyance for twelve (12) months pending no like violation, all Food and Beverage Managers who have not attended a Management Training Seminar (MTS) in the last twelve (12) months shall do so by August 31, 2016 and all servers who have not completed a Total Education in Alcohol Management (TEAM) seminar in the last twelve (12) months shall do so online by July 31, 2016; for violation of RSA 179:27, an administrative fine of \$250 suspended for twelve (12) months pending no like violation, for violation of RSA 179:44, I an administrative fine of \$250 suspended for twelve (12) months pending no like violation and for violation of RSA 179:60, an administrative fine of \$5,000.

COMMISSION ACKNOWLEDGED.

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

- a. Café Nachos, 179 Main Street, Lincoln, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1446803 issued pursuant to RSA 178:21.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: May 23, 2016.
Case #: 16-200-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. Don Quijote Restaurant, 333 Valley Street, Manchester, NH.
Restaurant Full Service With Lounge License #1497503 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.
Cited for violation of RSA 179:23, IV – failed to have an affidavit on file with the Commission for the person in charge of the premise.
Date of violations: June 10, 2016.
Case #: 16-214-OF.
\$350 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- c. Gold Club Of Bedford, 390 South River Road, Bedford, NH.
Restaurant Full Service With Lounge License #1397403 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
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 violation: June 10, 2016.
Case #: 16-213-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- d. Hampshire Gas & Convenience, 485 Amherst Street, Nashua, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3341147 issued pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 178:2, V – failed to attend a required training program within 45 days of the issuance of the liquor license.
Date of violation: May 6, 2016.
Case #: 16-163-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- e. Molly's Tavern & Restaurant, 35 Mont Vernon Road, New Boston, NH.
Restaurant Full Service With Lounge License #1451603 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: May 1, 2016.

Case #: 16-201-OF.

\$100 administrative fine paid.

COMMISSION ACKNOWLEDGED.

- f. Saigon Noodles Restaurant, 342 Lincoln Street, Manchester, NH.
Restaurant On-Premise Beverage/Wine/Liquor License #1521503 issued pursuant to RSA 178:21.
Cited for violation of RSA 178:2, V – failed to attend a required training program within 45 days of the issuance of the liquor license.
Date of violation: May 6, 2016.
Case #: 16-162-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. 7-Eleven, Inc. DBA 7-Eleven #37396H, 33 South Main Street, Plymouth, NH 03264.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3344947 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 6/27/2016.
COMMISSION APPROVED.
- b. Dowd's Country Inn LLC (The) DBA Dowd's Country Inn & Latham House Tavern, 9 Main Street, Lyme, NH 03768.
To be issued Restaurant On-Premise Cocktail Lounge License #1530403 pursuant to RSA 178:22.
30-Day Temporary License issued: 7/1/2016.
COMMISSION APPROVED.
- c. Dumont, Rebekah DBA Lisbon Riverside Market, 6 North Main Street, Lisbon, NH 03585.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3344047 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 6/28/2016.
COMMISSION APPROVED.
- d. Kaylanna's Gourmet Kitchen LLC DBA Serenity Market & Café, 25 Sagamore Road, Rye, NH 03870.
To be issued Combination Off-Premise Beverage and Wine License #3345047 pursuant to RSA 178:18.
30-Day Temporary License issued: 6/30/2016.
COMMISSION APPROVED.
- e. LCP Hampton Beach Hospitality LLC DBA Ashworth by the Sea, 295 Ocean Boulevard, Hampton, NH 03842.
To be issued Hotel On-Premise Cocktail Lounge License #371502 pursuant to RSA 178:21, II(b)(1)/RSA 178:22, V(k).
30-Day Temporary License issued: 7/1/2016.
COMMISSION APPROVED.
- f. LCP Hampton Beach Hospitality LLC DBA Ashworth by the Sea, 295 Ocean Boulevard, Hampton, NH 03842.
To be issued Caterer-Off-Site License #1288034 pursuant to RSA 178:22, V(e).
30-Day Temporary License issued: 7/1/2016.
COMMISSION APPROVED.
- g. Leiter, Richard & Carolyn DBA Revived Furniture and Home Décor, 2A Island Pond Road, Derry, NH 03038.
To be issued Retail Wine License #3161046 pursuant to RSA 178:19.
COMMISSION APPROVED.
- h. Lincross LLC DBA Lincross Sandwiches and Baked Goods, 16 Pleasant Street, Suite 2, Bristol, NH 03222.
To be issued Restaurant On-Premise Beverage and Wine License #1527503 pursuant to RSA 178:20.
COMMISSION APPROVED.

- i. North Atlantic Hockey Group LLC DBA Rinks at Exeter NAHG (The), 40 Industrial Drive, Exeter, NH 03833.
To be issued Restaurant On-Premise Beverage and Wine License #1530703 pursuant to RSA 178:20.
COMMISSION APPROVED.
- j. Simply Elegant Catering, Inc., 11 Main Street, Atkinson, NH 03811.
To be issued Caterer-Off-Site License #1287734 pursuant to RSA 178:22, V(e).
COMMISSION APPROVED.
- k. Windmill Restaurant, Inc. (The), 172 Loudon Road, Concord, NH 03301.
To be issued Caterer-Off-Site License #1287034 pursuant to RSA 178:22, V(e).
30-Day Temporary License issued: 7/1/2016.
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 JULY 8, 2016: 1,165

- a. Cipco, Inc. DBA Derby Wine Estates, 525 Riverside Avenue, Paso Robles, CA 93446.
Direct Shipper Permit Wine Manufacturer issued pursuant to RSA 178:27.
COMMISSION APPROVED.
- b. Phusion Projects LLC, 640 N. LaSalle Drive #264, Chicago, IL 60654.
Direct Shipper Permit Importer, Wholesaler or Retailer issued pursuant to RSA 178:27.
COMMISSION APPROVED.
- c. Sherwin Family Vineyards LLC, 4060 Spring Mountain Road, Saint Helena, CA 94574.
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. 3S Kitchen LLC DBA Block Six, 319 Vaughn Street, Portsmouth, NH 03801.
Restaurant On-Premise Beverage/Wine/Liquor License #1502603 licensed pursuant to RSA 178:21.
Date petition received: 6/30/2016.
Requested approval for authorization of other area, to wit, an outside courtyard area with a capacity of 100 for event dates July 1, 15 & 29, 2016 & August 12 & 26, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. 89 Main St. Bistro LLC DBA Carmen's, 89 Main Street, East Kingston, NH 03827.
Restaurant On-Premise Beverage/Wine/Liquor License #1510403 licensed pursuant to RSA 178:21.
Date petition received: 5/16/2016.
Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 14 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Bourque, Robert DBA Park Street Pub and Tavern, 41 Park Street, Northfield, NH 03276.
Restaurant On-Premise Beverage/Wine/Liquor License #1517903 licensed pursuant to RSA 178:21.
Date petition received: 7/6/2016.
Requested approval for authorization of other area, to wit, an outside deck area with a capacity of 36 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

- d. Everyday Café LLC, 14 Maple Street, Contoocook, NH 03229.
Restaurant On-Premise Beverage and Wine License #1481803 licensed pursuant to RSA 178:20.
Date petition received: 6/28/2016.
Requested approval for authorization of other area, to wit, an outside front porch area with a capacity of 17 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- e. Falls Grill & Tavern LLC (The), 421 Central Avenue, Dover, NH 03820.
Restaurant On-Premise Cocktail Lounge License #1514103 licensed pursuant to RSA 178:22.
Date petition received: 6/29/2016.
Requested approval for authorization of other area, to wit, an outside deck area with a capacity of 65 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- f. Hiza, Mark DBA Nottingham Orchard, 58 McCrillis Road, Nottingham, NH 03290.
Wine Manufacturer Off-Premise Wine Only License #563030 licensed pursuant to RSA 178:8.
Date petition received: 6/28/2016
Requested approval for authorization of other area, to wit, City of Portsmouth Farmers' Market at 1 Junkins Avenue, City Hall Lot, Portsmouth, NH on Saturdays between 8:00 am to 1:00 pm from August to November, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- g. L.B.O. Holding, Inc. DBA Attitash/Bear Peak Resort, Route 302, Bartlett, NH 03812.
Restaurant On-Premise Beverage/Wine/Liquor License #1009403 licensed pursuant to RSA 178:21.
Date petition received: 6/2/2016.
Requested approval for authorization of other area, to wit, an outside fenced in area with a capacity of 400 for event dates July 2, 2016 to September 4, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- h. Last Chair LLC (The), #5 Route 25, Plymouth, NH 03264.
Restaurant On-Premise Beverage/Wine/Liquor License #1524403 licensed pursuant to RSA 178:21.
Date petition received: 6/28/2016.
Requested approval for authorization of other areas, to wit, an outside porch and patio area with a total capacity of 90 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- i. Lexies-Exeter LLC, 56 Lincoln Street, Exeter, NH 03833.
Restaurant On-Premise Beverage and Wine License #1528903 licensed pursuant to RSA 178:20.
Date petition received: 6/23/2016.
Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 19 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- j. Loon Mountain Recreation Co. DBA Governor Adams Lodge, Loon Mountain, Lincoln, NH 03251.
Sports Recreation Facility License #284805 licensed pursuant to RSA 178:22, V(v).
Date petition received: 7/1/2016.
Requested approval for authorization of other area, to wit, an outside slope side area with a capacity of 1,500 for event date July 9, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- k. 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.
Date petition received: 6/30/2016.
Requested approval for authorization of other areas, to wit, Town of Bedford Farmers' Market at St. Elizabeth Seton Parish, 190 Meeting House Road, Bedford, NH on Tuesdays between 3:00 pm and 6:00 pm from June 14, 2016 to October 4, 2016 and Town of Jaffrey Farmers' Market at Plaza Parking Lot, 80-82 Peterborough Street, Jaffrey, NH on Wednesdays between 5:30 pm and 8:00 pm from July 6, 2016 to August 31, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- l. Post Office Café LLC, 47 Main Street, Walpole, NH 03608.
Restaurant On-Premise Beverage/Wine/Liquor License #1209603 licensed pursuant to RSA 178:21.
Date petition received: 6/30/2016.

Requested approval for authorization of other area, to wit, an outside tented area with a capacity of 35 for event dates July 14, 2016 and September 30, 2016 through October 1, 2016 pursuant to RSA 178:24 and Liq. 404.05.

COMMISSION ACKNOWLEDGED.

- m. Right On Q LLC DBA Riverside Barbeque Company, 53 Main Street, Nashua, NH 03060.
Restaurant On-Premise Beverage and Wine License #1438903 licensed pursuant to RSA 178:20.
Date petition received: 6/21/2016.
Requested approval for authorization of other area, to wit, an outside sidewalk area with a capacity of 110 for event date July 4, 2016 pursuant to RSA 178:24 and Liq. 404.05.

COMMISSION ACKNOWLEDGED.

- n. Thirsty Moose Manchester LLC DBA Thirsty Moose Taphouse,
759 Elm Street, Manchester, NH 03101.
Restaurant On-Premise Beverage/Wine/Liquor License #1515903 licensed pursuant to RSA 178:21.
Date petition received: 6/30/2016.
Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 44 pursuant to RSA 178:24 and Liq. 404.05.

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:

Hampton, 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. Anheuser-Busch LLC, One Busch Place, St. Louis, MO 63118.
Beverage Vendor License #4631 licensed pursuant to RSA 178:15.
Date petition received: 7/8/2016.
Requests approval of Bud Light Lime Cherry-Ahh-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.
COMMISSION APPROVED.
- b. Firestone Walker LLC, PO BOX 645, Solvang, CA 93464.
Beverage Vendor License #54731 licensed pursuant to RSA 178:15.
Date petition received: 7/5/2016.

Requests approval of kegs only, Firestone Walker Imperial Walker's Reserve 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.

COMMISSION APPROVED.

- c. Last Chair LLC (The), #5 Route 25, Plymouth, NH 03264.
To be issued Restaurant On-Premise Beverage, Wine and Liquor License #1526203 pursuant to RSA 178:21.
60-Day Temporary License issued per Chief James Wilson on 7/1/2016.
Recommendation: A written objection has been raised by a concerned citizen; letter is attached to the Agenda Request.

LICENSEES DAVID AND LYNN SANBORN APPEARED BEFORE THE COMMISSION FOLLOWING ITS RECEIPT OF A LETTER FROM NATALYA VINOGRADOVA, A CONCERNED CITIZEN FROM THE AREA WHO IS REQUESTING A PUBLIC HEARING TO DETERMINE WHETHER THIS ESTABLISHMENT SHOULD BE LICENSED TO SELL ALCOHOL; THE LETTER WAS READ INTO THE RECORD BY DEPUTY CHIEF SCOTT DUNN; THE LICENSEES STATED THEY HAVE SEVERAL LETTERS OF APPROVAL FROM THE COMMUNITY, THE TOWN AND FROM A LOCAL SCHOOL; ALSO, THEY HAVE A DRONE VIDEO FOR THE COMMISSION'S REVIEW THAT SHOWS THEIR LOCATION'S PROXIMITY TO THE SCHOOL; CHAIRMAN MOLLIKA ACCEPTED THE LETTERS AND TABLED THIS ITEM UNTIL DEPUTY COMMISSIONER MILLIGAN RETURNS TO THE OFFICE; THE MATTER WILL BE REVIEWED AT THAT TIME; IT IS ANTICIPATED THAT A DECISION WILL BE MADE SOON AFTER.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. 7th Settlement Brewery LLC, Henry Law Park (Lower), Henry Law Avenue, Dover, NH 03820.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event dates: 7/9/2016 & 7/10/2016.
Recommendation: Expedited approval.
Commission approved on 7/5/2016.
COMMISSION ACKNOWLEDED.
- b. Mezzanine Catering LLC, 42 Dover Point Road, Suite 1, Dover, NH 03820.
To be issued Caterer-Off-Site License #1287834 pursuant to RSA 178:22, V(e).
Recommendation: Expedited approval.
Commission approved on 7/2/2016.
COMMISSION ACKNOWLEDED.
- c. Rochester Main Street,
North Main Street Parking Lot, Across from #103, Rochester, NH 03867.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 7/16/2016.
Recommendation: Expedited approval.
Commission approved on 7/8/2016.
COMMISSION ACKNOWLEDED.