

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, AUGUST 18, 2016

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

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

- a. 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.

September 9, 2016 at 11:00 a.m.:

- b. Ming House, 3 Hillside Avenue, Berlin, NH.
Restaurant Full Service With Lounge License #1171303 issued 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 visibly intoxicated or who a reasonable and prudent person would know is intoxicated.
Date of violation: May 6, 2016.
Case #: 16-183-OF.

2. NOTIFICATION OF DISCIPLINARY ACTION:

- 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.
HEARING SCHEDULED FOR AUGUST 12, 2016 WAS CANCELED FOLLOWING SETTLEMENT.
\$500 administrative fine, four (4) points assessed to the liquor license and the license to sell alcohol suspended for three (3) days with two (2) days held in abeyance for twelve (12) months pending no like violation to occur on September 24, 2016.
COMMISSION ACKNOWLEDGED.
- b. Legends Billiards & Tavern, 80 Hanover Street, Portsmouth, NH.
Sports Entertainment License #2500705 issued pursuant to RSA 178:22, V(u)(1).
Cited for violation of RSA 179:53 – altered premises without Commission approval.
Date of violation: June 11, 2016.
Case #: 16-269-OF.
\$250 administrative fine suspended for twelve (12) months pending no like violation.
COMMISSION ACKNOWLEDGED.
- c. Salmon Falls Winery, 22 Academy Street, South Berwick, ME.
Direct Shipper Permit #8218733 issued pursuant to RSA 178:27.
Cited for violation of RSA 178:27, V – failed to file a Direct Shipper Report by the 15th of the following month from August, 2014 through January, 2016.
Outstanding direct shipping taxes in the amount of \$3,867.57 shall be paid and an administrative fine of \$2,500 suspended for twelve (12) months pending no like violation.
COMMISSION ACKNOWLEDGED.

- d. Wolfeboro Inn, 90 North Main Street, Wolfeboro, NH.
Hotel Full Service With Lounge License #369402 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.
Date of violation: February 25, 2016.
Case #: 16-85-OF.
\$1,500 administrative fine with \$500 suspended for twelve (12) months pending no like violation, four (4) points assessed to the liquor license and the license to sell alcohol suspended in the cocktail lounge where service occurred for five (5) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing September 26, 2016 and re-granted September 30, 2016.
COMMISSION ACKNOWLEDGED.

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

None

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. 7-Eleven, Inc. DBA 7-Eleven 37392H, 162 Rockingham Road, Londonderry, NH 03053.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3346047 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued 8/8/2016.
COMMISSION APPROVED.
- b. Claremont Speedway LLC, 272 Thrasher Road, Claremont, NH 03743.
To be issued Seasonal Race Track (Motor Vehicle) On-Premise Cocktail Lounge License #241724 pursuant to RSA 178:22, V(n).
COMMISSION APPROVED.
- c. Dell Meadows, Inc. DBA Dell-Lea Wedding & Events, 81 Pleasant Street, Chichester, NH 03258.
To be issued Caterer-On-Site License #1278426 pursuant to RSA 178:22, V(e).
30-Day Temporary License issued 8/10/2016.
COMMISSION APPROVED.
- d. Duggan, Christine DBA Oxford Cigars and Vapor World, 1350 Elm Street, Manchester, NH 03101.
To be issued Retail Tobacco, Tobacco Only License #134717 pursuant to RSA 178:19-a.
COMMISSION APPROVED.
- e. Giorgios Manchester Corp. DBA Giorgio's Ristorante & Bar,
270 Granite Street, Manchester, NH 03103.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1529203 pursuant to RSA 178:21.
COMMISSION APPROVED.
- f. Hump LLC DBA D's Café, 141 Winchester Street, Keene, NH 03431.
To be issued Restaurant On-Premise Beverage and Wine License #1530603 pursuant to RSA 178:20.
COMMISSION APPROVED.
- g. Ian Dowling DBA Rek-Lis Brewing Company, 44 Pinewood Avenue, Bethlehem, NH 03574.
To be issued Beverage Manufacturer License #291118 pursuant to RSA 178:12.
COMMISSION APPROVED.
- h. Isles of Shoals Steamship Co., Inc., 315 Market Street, Portsmouth, NH 03801.
To be issued Seasonal Vessel Beverage/Wine/Liquor License #490613 pursuant to RSA 178:21, II(e).
30-Day Temporary license issued 8/8/2016.
COMMISSION APPROVED.
- i. Ramos Batista, Ruth Esther DBA La Fiera Restaurant, 521 Wilson Street, Manchester, NH 03103.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1532103 pursuant to RSA 178:21.
30-Day Temporary license issued 8/8/2016.
COMMISSION APPROVED.

- j. Rotary Club of Hampton, Hampton Beach State Park, 160 Ocean Boulevard, 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: 9/17/2016.
COMMISSION APPROVED.
- k. SMT Acquisitions LLC DBA Espirit Du Vin, 301 Yamato Road, 3030B, Boca Raton, FL 33431.
To be issued Liquor and Wine Vendor License #117945 pursuant to RSA 178:9.
COMMISSION APPROVED.
- l. Suna LLC, 6 Brook Road, Sunapee, NH 03782.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1531703 pursuant to RSA 178:21.
30-Day Temporary license issued 7/29/2016.
COMMISSION TABLED ON AUGUST 11, 2016.
THIS ITEM REMAINS TABLED AS OF AUGUST 18, 2016.
- m. Tumbledown General Retail LLC, 11 Meadow Street, Sanbornville, NH 03872.
To be issued Combination Off-Premise Beverage and Wine License #3346347 pursuant to RSA 178:18.
30-Day Temporary License issued 8/5/2016.
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 AUGUST 12 2016: 1,167

None

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. NOTIFICATION OF APPROVED PETITIONS:

- a. Appolo Vineyards LLC, 49 Lawrence Road, Derry, NH 03038.
Wine Manufacturer Off-Premise Wine Only License #563830 licensed pursuant to RSA 178:8.
Date petition received: 8/11/2016.
Requested approval for authorization for tasting at farmers market, to wit, Town of Bedford Farmers' Market located at 190 Meeting House Road, Bedford, NH between 3:00 pm and 6:00 pm from August 16, 2016 to October 4, 2016 pursuant to RSA 178:24 and RSA 179:44, II-a.; the Town of Bedford has approved sampling of alcoholic beverages at this event.
COMMISSION ACKNOWLEDGED.
- b. Carpe Diem Ventures LLC DBA Rosewood Country Inn, 67 Pleasant View Road, Bradford, NH 03221.
Bed and Breakfast Beverage, Wine and Liquor License #360438 licensed pursuant to RSA 178:21, II (c).
Date petition received: 8/3/2016.
Requested approval for authorization of other areas, to wit, outside, covered porch areas with a total capacity of 40 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. 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: 8/5/2016.
Requested approval for authorization for tasting at farmers market, to wit, Town of Tamworth Farmers' Market, located 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 RSA 179:44, II-a; the Town of Tamworth has approved sampling of alcoholic beverages at this event.

COMMISSION ACKNOWLEDGED.

- d. Ramos Batista, Ruth Esther DBA La Fiera Restaurant, 521 Wilson Street, Manchester, NH 03103. Restaurant On-Premise Beverage, Wine, Liquor License #1532103 licensed pursuant to RSA 178:21. Date petition received: 8/8/2016.
Requested a waiver for leasing/access to part of business, to wit, to allow a doorway connecting an upstairs residence to the business that will be locked at all times pursuant to RSA 179:48, IV.
COMMISSION ACKNOWLEDGED.
- e. Squam Brewing LLC, 118 Perch Pond Road, Holderness, NH 03245.
Nano Brewery Beer and/or Specialty Beer License #200122 licensed pursuant to RSA 178:12-a. Date petition received: 8/11/2016.
Requested approval for authorization for tasting at farmers market, to wit, Town of Plymouth Farmers' Market located at the Senior Center, 8 Depot Street, Plymouth, NH between 3:00 pm and 6:00 pm from August 18, 2016 to October 15, 2016 pursuant to RSA 178:24 and Liq. 404.05; the Town of Plymouth has approved sampling of alcoholic beverages at this event.
COMMISSION ACKNOWLEDGED.
- f. Stone Church Music Club LLC, 5 Granite Street, Newmarket, NH 03857.
Restaurant On-Premise Beverage, Wine, Liquor License #1429903 licensed pursuant to RSA 178:21. Date petition received: 8/3/2016.
Requested approval for authorization of other area, to wit, an outside parking lot area with a capacity of 130 for event date 8/6/2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- g. Walpole Main Holding LLC DBA Walpole Inn, 297 Main Street, Walpole, NH 03608.
Restaurant On-Premise Beverage, Wine, Liquor License #1479503 licensed pursuant to RSA 178:21. Date petition received: 8/8/2016.
Requested approval to charge a corkage fee, to wit, to charge a fee when serving a bottle of wine brought in by a customer, to be stored separately from licensed alcohol and served when requested and when a full course meal is consumed pursuant to RSA 178:21, II, a (5).
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:

TOBACCO COMPLIANCE CHECKS –

Hillsborough County:

Energy North, 626 Gibbons Highway, Wilton, NH.
Combination Off-Premises Beverage/Wine/Tobacco #3232147 licensed pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 126-K:4 – sold tobacco to an underage person during a compliance check.
Date of violation: July 31, 2016.

Case #: 16-279-OF.

Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days from the date of the violation.

COMMISSION ACKNOWLEDGED.

Sullivan County:

Evans Expressmart, 546 NH Route 11, Sunapee, NH.

Combination Off-Premises Beverage/Wine/Tobacco #3299047 licensed pursuant to RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 126-K:4 – sold tobacco to an underage person during a compliance check.

Date of violation: July 12, 2016.

Case #: 16-246-OF.

Verbal warning and mandatory attendance for a manager at a Management Training Seminar (MTS) within ninety-days from the date of the violation.

COMMISSION ACKNOWLEDGED.

13. COMMISSION DECISIONS PENDING AFTER HEARING:

None

14. NOTIFICATION OF HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

Veranda, 201 Hanover Street, Manchester, NH.

Application pending for Restaurant On-Premise Beverage/Wine/Liquor License pursuant to RSA 178:21.

Requested a Felon Exception for Tumseen S. Qureshi as a Licensee pursuant to RSA 178:4.

Case #: 16-179-OF.

Date of denial: July 19, 2016.

Recommendation: **DENIAL.**

TUMSEEN QURESHI APPEARED BEFORE THE COMMISSION TO EXPLAIN THE CIRCUMSTANCES SURROUNDING HER CONVICTION AND ASK THAT A FELON EXCEPTION BE GRANTED TO HER; DIRECTOR JAMES WILSON EXPLAINED THAT EXCEPTIONS ARE CUSTOMARILY PRESENTED TO THE CHIEF HEARINGS OFFICER FOR APPROVAL; IN THIS CASE, THE DIVISION OF ENFORCMENT HAD MANY CONVERSATIONS WITH MS. QURESHI CONCERNING HER 2-YEAR SUSPENDED SENTENCE THAT IS NOT YET COMPLETE; PURSUANT TO RSA 178:4, SHE MAY APPLY FOR A LIQUOR LICENSE FIVE (5) YEARS FOLLOWING THE COMPLETION OF HER SENTENCE; CHAIRMAN MOLLIKA TABLED THIS ITEM ON 7/28/16 FOR FURTHER REVIEW AND DISCUSSION.

THIS ITEM REMAINS TABLED AS OF AUGUST 11, 2016.

ON OR ABOUT AUGUST 10, 2016, MS. QURESHI WITHDREW HER REQUEST FOR A FELON EXCEPTION PER DIRECTOR JAMES WILSON.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

a. 603 Brewery LLC, Londonderry Lions Club, 258 Mammoth Road, Londonderry, NH 03053.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 8/20/2016.

Recommendation: Expedited approval.

Commission approved on 8/9/2016.

COMMISSION ACKNOWLEDGED.

b. Annie E. Woodman Institute DBA Woodman Museum, 182 Central Avenue, Dover, NH 03820.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).

Event date: 8/14/2016.

Recommendation: Expedited approval.

Commission approved on 8/9/2016.

COMMISSION ACKNOWLEDGED.

- c. Fuller Foundation of NH, Inc. DBA Fuller Gardens, 10 Willow Avenue, North Hampton, NH 03862.

To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor

License pursuant to RSA 178:22, V(l).

Event date: 8/5/2016.

Recommendation: Expedited approval.

Commission approved on 8/9/2016.

COMMISSION ACKNOWLEDGED.

- d. Monadnock Community Early Learning Center,

Peterborough Town Hall, 1 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: 8/20/2016.

Recommendation: Expedited approval.

Commission approved on 8/9/2016.

COMMISSION ACKNOWLEDGED.