

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, SEPTEMBER 8, 2016

1. INFORMATIONAL HEARING TO BE HELD AT THE EPSOM PUBLIC LIBRARY, 1606 DOVER ROAD, ROUTE 4, EPSOM, NH:

September 9, 2016 at 2:00 p.m.:

- a. In accordance with Title XIII and Administrative Rule, Liq. 208.02, the New Hampshire Liquor Commission will hold an informational licensing hearing on the liquor license application of The Big Easy LLC DBA Circle 9 Ranch, 39 Windymere Drive, Epsom, NH for an on-premises full service restaurant and cocktail lounge liquor license. The hearing will be held on Friday, September 9, 2016 at 2:00 pm to be conducted at the Epsom Public Library, 1606 Dover Road, Epsom, NH 03234. Any interested member of the public may testify and present evidence in favor of or against the applicant. The Commission will announce procedural guidelines at the hearing. Testimony by the public will be allowed in the order in which they sign up to speak and will be relevant to the prospective licensee and the local governing authority. The Commission may question speakers to clarify their positions. There shall be no cross examination or rebuttal testimony. Written testimony shall be accepted only if signed and received prior to the close of the hearing. Persons wishing to testify are urged to coordinate their testimony to avoid unnecessary duplication or repetition of testimony. Authority for this hearing is NH RSA Title XIII and Administrative Rule, Liq. 208.02 per order of Joseph S. Plaia, Chief Hearings Officer, New Hampshire Liquor Commission, 50 Storrs Street, Concord, NH 03301, Tel. # 603-230-7015.

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

September 23, 2016 at 10:00 a.m.:

- b. Pedraza's Mexican Restaurant, 44 Central Square, Keene, NH.
Restaurant Full Service With Lounge License #1375803 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 alcoholic beverage to an under-aged individual.
Cited for violation of RSA 179:5, II – allowed an under-aged individual to possess or consume alcoholic beverage.
Date of violations: January 9, 2016.
Case #: 16-24-OF.
ASSENTED-TO MOTION TO CONTINUE FILED BY THE DIVISION OF ENFORCEMENT.

September 23, 2016 at 11:00 a.m.:

- c. Newport Veterans Club, 118 John Stark Highway, Newport, NH.
Veterans Club License #16639 issued pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22/Liq. 501.06 – failed to restrict access to gain entrance to a private club.
Date of violation: July 22, 2016.
Case #: 16-268-OF.
ASSENTED-TO MOTION TO CONTINUE FILED BY THE DIVISION OF ENFORCEMENT.

2. NOTIFICATION OF DISCIPLINARY ACTION:

- a. Sweet Fire Barbeque & Take Out, 116 Mulberry Street, Claremont, NH.
Caterer-Off-Site License #1276334 issued pursuant to RSA 178:22, V(e).
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: June 15, 2016.
Case #: 16-221-OF.

An administrative fine of \$500, four (4) points assessed to the liquor license and the license to sell alcohol suspended for five (5) days commencing June 7, 2017 and re-granted on June 12, 2017.
COMMISSION ACKNOWLEDGED.

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

N-N Express II, 230 Lowell Street, Manchester, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3044247 issued pursuant to RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: July 5, 2016.
Case #: 16-266-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. 3 Brothers Marketplace, Inc., 82 Lincoln Street, Exeter, NH 03833.
To be issued Conditional Combination Restaurant Beverage/Wine License #1531503 pursuant to RSA 178:17-a.
30-Day Temporary license issued 9/1/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Concord Hospital Trust, Elm Brook Park, 2097 Maple Street, Hopkinton, NH 03229.
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.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Dupius, Tanya, 8 Shore Drive, Goffstown, NH 03045.
To be issued Alcohol Consultant License #507744 pursuant to RSA 178:27-a.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Griffin Ventures LLC DBA Grill 603, 168 Elm Street, Milford, NH 03055.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1532703 pursuant to RSA 178:21.
30-Day Temporary license issued 9/1/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Nour Taha DBA Richdale Prime Seabrook, 472 Lafayette Road, Seabrook, NH 03874.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3346747 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued 9/1/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Otis Restaurant LLC, 4 Front Street, Exeter, NH 03833.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1531203 pursuant to RSA 178:21.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- g. Zhao, Xing Xing DBA Yang Yang Kitchen Chinese Cuisine, 25 Merritt Parkway, Units 1 & 2, Nashua, NH 03062.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1532703 pursuant to RSA 178:21.
30-Day Temporary license issued 8/29/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE 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 SEPTEMBER 2, 2016: 1,168

Good Company Wines, Inc. DBA invino.com, 544 Napa Road, Napa, CA 95476.
Direct Shipper Permit Importer, Wholesaler or Retailer pursuant to RSA 178:27.

**DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA
SECONDED THE MOTION; THE MOTION PASSED.**

7. **DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

8. **NOTIFICATION OF APPROVED PETITIONS:**

- a. Griffin Ventures LLC DBA Grill 603, 168 Elm Street, Milford, NH 03055.
Restaurant On-Premise Beverage/Wine/Liquor License #1533603 licensed pursuant to RSA 178:21.
Date petition received: 8/31/2016.
Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 48 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Loyal Dog Winery LLC, 28 Bedford Road, New Boston, NH 03070.
Wine Manufacturer Off-Premise Wine Only License #565530 licensed pursuant to RSA 178:8.
Date petition received: 9/1/2016.
Requested approval for authorization for retail and tasting at farmer's market, to wit, City of Nashua Farmers' Market, Downtown Nashua, Water Street, Nashua, NH between 10:00 am and 2:00 pm on September 4, 11, 18 & 25, 2016 pursuant to RSA 178:24 and RSA 179:44, II-a.
COMMISSION ACKNOWLEDGED.
- c. Tan Food Service LLC DBA Farmington House of Pizza, 449 Main Street, Farmington, NH 03835.
Restaurant On-Premise Beverage and Wine License #1505603 licensed pursuant to RSA 178:20.
Date petition received: 8/16/2016.
Requested approval for authorization to transfer business location, to wit, transfer location from 449 Main Street, Farmington, NH to 485 Main Street, Farmington, NH on August 29, 2016 pursuant to RSA 178:29, VIII.
COMMISSION ACKNOWLEDGED.
- d. Wakefield Inn and Restaurant LLC DBA Wakefield Inn and Restaurant,
2753 Wakefield Road, Sanbornville, NH 03872.
Restaurant On-Premise Beverage/Wine/Liquor License #1466903 licensed pursuant to RSA 178:21.
Date petition received: 8/29/2016.
Requested approval for authorization of other area, to wit, an outside, back yard area with a capacity of 36 for event date September 9, 2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

9. **NOTIFICATION OF APPROVED FELON EXCEPTIONS:**

7-Eleven, 7 Spitbrook Road, Nashua, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3272347 issued pursuant to
RSA 178:18/RSA 126-K:4.
Requested approval of a Felon Exception for Omayra Jimenez as a Person In Charge pursuant to RSA 178:4,
RSA 179:23 and Liq. 404.06(c).
Case #: 16-210-OF.
COMMISSION ACKNOWLEDGED.

10. **NOTIFICATION OF DENIED FELON EXCEPTIONS:**

None

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

None

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. Dogfish Head Craft Brewery, 6 Cannery Village Court, Milton, DE 19968.
Beverage Vendor License #34731 licensed pursuant to RSA 178:15.
Date petition received: 8/29/2016.
Requests approval of Dogfish 120 Minute IPA with an alcohol content of 16.22% 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 TABLE THIS ITEM PENDING RECEIPT OF INFORMATION ABOUT OTHER APPROVED BEER PRODUCTS WITH AS HIGH AN ALCOHOL CONTENT; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Millercoors LLC, 311 10th Street, Golden, CO 80401.
Beverage Vendor License #45431 licensed pursuant to RSA 178:15.
Date petition received: 8/29/2016.
Requests approval of Crispin Bourbon Char Hard Cider with an alcohol content of 6.88% 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; THE MOTION PASSED.
- c. Oskar Blues Brewery LLC, 1800 Pike Road, Longmont, CO 80501.
Beverage Vendor License #54431 licensed pursuant to RSA 178:15.
Date petition received: 8/29/2016.
Requests approval of Oskar Blues Barrel Aged Fidy Imperial Stout 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; THE MOTION PASSED.

16. **MISCELLANEOUS ITEMS FOR INFORMATION ONLY:**

Annunciation Greek Orthodox Church, Hellenic Center, 219 Long Hill Road, Dover, NH 03820.
To be issued one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor Licenses pursuant to RSA 178:22, V(l).
Event dates: 9/2/2016 & 9/3/2016.
Recommendation: Expedited approval.
Commission approved 9/1/2016.
COMMISSION ACKNOWLEDGED.