

AGENDA FOR THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 13, 2016

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

October 21, 2016 at 10:00 a.m.:

- a. 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; GRANTED SEPTEMBER 2, 2016.

October 28, 2016 at 1:00 p.m.:

- b. Whiskeys 20, 20 Old Granite Street, Manchester, NH.
Restaurant Full Service With Lounge License #1516403 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:23, IV and VI – allowed a convicted felon to work longer than 60 days without obtaining a waiver.
Cited for violation of RSA 179:51 – failed to maintain an orderly premise.
Dates of violations: November 8, 2015 & April 4, 2016.
Case #: 15-428-OF & 16-164-OF.

November 18, 2016 at 10:00 a.m.:

- c. 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; GRANTED SEPTEMBER 2, 2016.

December 2, 2016 at 10:00 a.m.:

- d. Ichiban Japanese Steak House, 118 Manchester Street, Concord, NH.
Restaurant Full Service With Lounge License #1478003 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: February 11, 2016.
Case #: 16-44-OF.

2. NOTIFICATION OF DISCIPLINARY ACTION:

None

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

- a. Rimmon Club, 595 Dubuque Street, Manchester, NH.
Social Club License #12001 issued pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22, V(h)(1) – failed to file signed financial statement by the 15th of the following month for the months of June & July, 2016.
Date of violation: August 29, 2016.
Case #: 16-291-OF.
\$100 administrative fine paid.
- b. Sea Breeze Cellars, 174 South Maple Street, Manchester, NH.
Liquor and Wine Vendor License #973545 issued pursuant to RSA 178:9.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: September 26, 2016.
Case #: 16-315-OF.
\$100 administrative fine paid.
- c. Wild Rover Pub, 21 Kosciuszko Street, Manchester, NH.
Restaurant Full Service With Lounge License #258403 issued 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 – 2 counts.
Cited for violation of RSA 179:20, II – allowed an entertainer to consume alcoholic beverage while working.
Date of violations: September 17, 2016.
Case #: 16-311-OF.
\$600 administrative fine paid.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. 210 Eddy Road Gas Station, Inc. DBA Manchester Mobil Mart,
210 Eddy Road, Manchester, NH 03102.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3347747
pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued 9/30/2016.
- b. 7- Eleven, Inc. DBA 7-Eleven #37391H,
494 Tenney Mountain Highway, Plymouth, NH 03264.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3346147
pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued 10/6/2016.
- c. Bapa Corporation DBA Exeter Mobil Mart, 54 Portsmouth Avenue, Exeter, NH 03833.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3348247
pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued 9/30/2016.
- d. Bow Rotary Foundation, Bow Community Building, 3 Bow Center Road, Bow, NH 03304.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor
License pursuant to RSA 178:22, V(l).
Event date: 11/5/2016.
- e. Cisco Brewers, Inc., 1 Redhook Way, Portsmouth, NH 03801.
To be issued Tenant Brewer License #300109 pursuant to RSA 178:12-b.
Brewery Location: Redhook Brewery, Portsmouth, NH.

- f. D & V Gifts, Inc. DBA La Tasse, 33 Village Road, Waterville Valley, NH 03215.
To be issued Restaurant On-Premise Beverage and Wine License #1532503 pursuant to RSA 178:20.
- g. Maruti NH, Inc. DBA All Day Convenience, 268 Whittier Highway, Moultonborough, NH 03254.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3348347 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued 10/3/2016.
- h. National Refrescos Import Co. LLC, 891 Georges Road, Monmouth Junction, NJ 08852.
To be issued Liquor and Wine Vendor License #117545 pursuant to RSA 178:9.
- i. Stone Fence Beverage LLC, 3 Cricket Hill Road, Bedford, NH 03110.
To be issued Liquor and Wine Representative Off-Premise Wine and Liquor License #608135 pursuant to RSA 178:10.
- j. Trafalgar Hospitality Solution LLC DBA Royal India, 575 South Willow Street, Manchester, NH 03101.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1524503 pursuant to RSA 178:21.
30-Day Temporary license issued 10/6/2016.
- k. Urban Farmhouse Eatery, Inc., 184 Lafayette Road, North Hampton, NH 03862.
To be issued Restaurant On-Premise Beverage and Wine License #1530803 pursuant to RSA 178:20.
30-Day Temporary license issued 10/7/2016.
- l. Vedant International LLC DBA El Toro Cigar & Lounge,
28-30 Lowell Road, Unit 7, Hudson, NH 03051.
To be issued Cigar Bar On-Premise Cocktail Lounge License #403506 pursuant to RSA 178:20-a.
- m. WJ Nashua LLC DBA Willie Jewell's Old School Bar-B-Q, 569 Amherst Street, Nashua, NH 03063.
To be issued Restaurant On-Premise Beverage and Wine License #1528503 pursuant to RSA 178:20.
- n. YMCA of Greater Manchester, Falls Event Center, 21 Front Street, Manchester, NH 03101.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 10/27/2016.
- o. Vino.Com LLC DBA Total Beverage Solution,
421 Wando Park Boulevard, Suite 200, Mt. Pleasant, SC 29464.
To be issued Beverage Vendor License #81031 pursuant to RSA 178:15.
Manufacturer: AB Abro Bryggeri.

5. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

6. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING OCTOBER 7, 2016: 1,157

None

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. NOTIFICATION OF APPROVED PETITIONS:

- a. Concord Country Club, Inc., 22 Country Club Lane, Concord, NH 03301.
Sports Recreation Facility License #393205 licensed pursuant to RSA 178:22, V(v).
Date petition received: 10/3/2016.
Requested approval for authorization of other areas, to wit, an outside deck area with a capacity of 40, Club Room Lounge with a capacity of 113, Coach Room dining area with a capacity of 43, Capital Room Banquet Hall with a capacity of 100 and Legacy Room/Meeting Room with a capacity of 36 pursuant to RSA 178:24 and Liq. 404.05.
- b. JPA III Management Co., Inc. DBA Radisson Hotel at Center of New Hampshire, 700 Elm Street, Manchester, NH 03101.
Hotel On-Premise Cocktail Lounge License #214602 licensed pursuant to RSA 178:22.
Date petition received: 10/3/2016.
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).
- c. Loon Mountain Recreation Co. DBA Loon Mountain Ski Area, Octogon Lodge Café, 60 Loon Mountain Road, Lincoln, NH 03251.
Restaurant On-Premise Beverage and Wine License #404103 licensed pursuant to RSA 178:20.
Date petition received: 9/29/2016.
Requested approval for authorization of other area, to wit, an outside, slope side area with a capacity of 1,000 for event dates October 8 & 9, 2016 pursuant to RSA 178:24 and Liq. 404.05.
- d. Man Yee International, Inc. DBA Man Yee Restaurant, 79 South Street, Concord, NH 03301.
Restaurant On-Premise Beverage/Wine/Liquor License #1484703 licensed pursuant to RSA 178:21.
Date petition received: 10/3/2016.
Requested approval for authorization of other area, to wit, an additional dining room area with a capacity of 114 pursuant to RSA 178:24 and Liq. 404.05.
- e. North Country Hard Cider LLC, Lower Mill, 3 Front Street #160, Rollinsford, NH 03869.
Beverage Manufacturer License #290318 licensed pursuant to RSA 178:12.
Requested approval for authorization of other area, to wit, Town of Rollinsford Winter Farmers' Market, Wentworth Greenhouses, Rollinsford, NH on November 19, 2016, December 3, 2016, December 17, 2016, January 7, 2017, February 25, 2017 and March 25, 2017, from 10:00 am to 2:00 pm pursuant to RSA 178:24 and Liq. 404.05. **The Town of Rollinsford prohibits sampling of alcoholic beverages at farmers markets.**
- f. Poco Diablo, Inc. DBA Poco's Bow Street Cantina, 37 Bow Street, Portsmouth, NH 03801.
Restaurant On-Premise Cocktail Lounge License #434303 licensed pursuant to RSA 178:22.
Date petition received: 10/6/2016.
Requested approval for authorization of other area, to wit, an additional dining room area with a capacity of 44 pursuant to RSA 178:24 and Liq. 404.05.
- g. Purity Spring Resort, Inc. DBA King Pine Ski Area, 1515 Eaton Road, Madison, NH 03849.
Sports Recreation Facility License #398805 licensed pursuant to RSA 178:22, V(v).
Date petition received: 9/29/2016.
Requested approval for authorization of other area, to wit, an outside, tented area with a capacity of 120 for event date October 9, 2016 pursuant to RSA 178:24 and Liq. 404.05.
- h. Urban Farmhouse Eatery, Inc., 184 Lafayette Road, North Hampton, NH 03862.
Restaurant On-Premise Beverage and Wine License #1530803 licensed pursuant to RSA 178:20.
Date petition received: 10/7/2016.
Requested approval for authorization of other area, to wit, an outside deck area with a capacity of 19 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:

None

12. NOTIFICATION OF COMPLIANCE CHECKS:

None

13. COMMISSION DECISIONS PENDING AFTER HEARING:

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. THE INFORMATIONAL HEARING WAS HELD AT EPSOM PUBLIC LIBRARY, 1606 DOVER ROAD, EPSOM, NH ON SEPTEMBER 9, 2016.

THIS HEARING COMMENCED SEPTEMBER 9, 2016 AND WAS EXTENDED AT THE AGREEMENT OF ALL PARTIES AND ATTENDEES. THE LICENSEE WILL GIVE TESTIMONY ON SEPTEMBER 30, 2016. THE HEARING WAS CONTINUED AT THE OFFICES OF THE LIQUOR COMMISSION ON SEPTEMBER 30, 2016. LICENSEE FORREST SELL GAVE TESTIMONY CONCERNING HIS OWNERSHIP AND MANAGEMENT OF THE PROPERTY IN QUESTION. CHIEF HEARINGS OFFICER JOSEPH PLAIA REQUESTED THE FOLLOWING DOCUMENTATION: ANY CORRESPONDENCE OR RULINGS ISSUED BY THE NH DEPARTMENT OF JUSTICE TO THE LICENSEE RELATIVE TO THE PROPERTY; AND A LIST OF CALLS FOR SERVICE MADE TO THE PROPERTY FROM MAY 8, 2014 TO THE PRESENT BY THE EPSOM, NH POLICE DEPARTMENT, TO BE SUBMITTED TO OR OBTAINED BY THE DIVISION OF ENFORCEMENT & LICENSING WITHIN TEN (10) DAYS.

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: 10/5/2016.
Requests approval of Bud Light Lime Grape-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.

- b. Millercoors LLC, 311 10th Street, Golden, CO 80401.
Beverage Vendor License #45431 licensed pursuant to RSA 178:15.
Date petition received: 9/30/2016.
Requests approval of Steel Reserve Spiked Watermelon with an alcohol content of 7.98% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. James W. Foley Legacy Foundation,
Rochester Fairgrounds, 72 Lafayette Street, 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: 10/15/2016.
Recommendation: Expedited approval.
Commission approved on 10/7/2016.
- b. Prescott Park Arts Festival, Strawbery Banke Museum, 14 Hancock 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: 10/9/2016.
Recommendation: Expedited approval.
Commission approved on 10/7/2016.
- c. Prescott Park Arts Festival, Redhook Brewery, 1 Redhook Way, Portsmouth, NH 03801.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 10/15/2016
Recommendation: Expedited approval.
Commission approved on 10/7/2016.
- d. VFW Auxiliary, Anheuser-Busch Facility, 221 Daniel Webster Highway, Merrimack, NH 03054.
To be issued an off-sale, special Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:17, II.
Event date: 10/10/2016.
Recommendation: Expedited approval.
Commission approved on 10/3/2016.