

AGENDA FOR THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, OCTOBER 20, 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.
10/13/2016 - ASSENTED-TO MOTION TO CONTINUE FILED ON BEHALF OF THE LICENSEE.
10/14/2016 - MOTION GRANTED; HEARING TO BE RESCHEDULED IF SETTLEMENT IS NOT REACHED.

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. Fire & Ice Hookah Lounge, 990 Elm Street, Manchester, NH.
Cigar Bar On-Premise Beverage/Wine/Liquor/Cigar License #403106 issued pursuant to RSA 178:20-a.
Cited for violation of RSA 179:8, II – accepted photographic identification that was expired, not consistent with the appearance of the person, not correct and free of alteration, erasure, blemish or other impairment.
Date of violation: August 27, 2016.
Case #: 16-293-OF.
\$100 administrative fine paid.
- b. Wein-Bauer, Inc., 10600 Seymour Avenue, Franklin Park, IL.
Liquor and Wine Vendor License #515045 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 9, 2016.
Case #: 16-309-OF.
\$100 administrative fine paid.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Children’s Museum of NH, 6 Washington Street, 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: 11/5/2016.
- b. Gary’s Restaurant & Sports Lounge LLC, 38 Milton Road, Rochester, NH 03866.
To be issued Retail Tobacco, Tobacco Only License #138417 pursuant to RSA 178:19-a.
30-Day Temporary License issued 10/12/2016.
- c. Greater Salem Chamber of Commerce,
Searle’s School & Chapel, 3 Chapel Road, Windham, NH 03087.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 11/9/2016.
- d. Lakes Region Community Services Council,
Church Landing at Mills Falls, 281 Daniel Webster Highway, Meredith, NH 03253.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 11/3/2016.
- e. Mighty Squirrel LLC, 745 Atlantic Avenue, Boston, MA 02111.
To be issued Beverage Vendor License #78331 pursuant to RSA 178:15.
Manufacturer: Peabody Heights Brewery, Baltimore, MD.
- f. Scoperta Importing Co., Inc. DBA Marchetti Company (The),
3091 Mayfield Road #310 Cleveland Heights, OH 44118.
To be issued Liquor and Wine Vendor License #118445 pursuant to RSA 178:9.

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 14, 2016: 1,159

- a. Auteur Wines LLC, 21684 8th St. E., Sonoma, CA 95476.
Direct Shipper Wine Manufacturer Permit pursuant to RSA 178:27.
- b. Phillips Hill Estates, 25690 Philo Greenwood Road, Elk, CA 95432.
Direct Shipper Wine Manufacturer Permit pursuant to RSA 178:27.

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. NOTIFICATION OF APPROVED PETITIONS:

Coffin Cellars LLC, 1224 Battle Street, Webster, NH 03303.
Wine Manufacturer Off-Premise Wine Only License #562930 licensed pursuant to RSA 178:8.
Date petition received: 9/23/2016.
Requested approval for authorization of other area, to wit, a tasting room area with a capacity of 25 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:

None

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Chosen Vale, Inc. DBA Enfield Shaker Museum, 447 NH Route 4A, Enfield, NH 03748.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 10/15/2016.
Recommendation: Expedited approval.
Commission approved on 10/12/2016.
- b. Chosen Vale, Inc. DBA Enfield Shaker Museum, 447 NH Route 4A, Enfield, NH 03748.
To be issued a Wine Festival License pursuant to RSA 178:31.
Event date: 10/15/2016.
Recommendation: Expedited approval.
Commission approved on 10/12/2016.
- c. Haverhill Heritage, Inc., Court Street Alumni Hall, 75 Court Street, Haverhill, NH 03765.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 10/16/2016.
Recommendation: Expedited approval.
Commission approved on 10/13/2016.
- d. Queen City Rotary Club Foundation,
Hellenic Community Center (St. George), 650 Hanover Street, Manchester, NH 03104.
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 10/12/2016.