

AGENDA FOR THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, NOVEMBER 3, 2016

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

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

- a. 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.:

- b. 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.

Date to be determined:

- c. 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 #s: 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.

2. NOTIFICATION OF DISCIPLINARY ACTION:

None

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

- a. Taqueria Begy's, 310 Maple Street, Manchester, NH.
Restaurant Beverage and Wine License #1408403 issued pursuant to RSA 178:20.
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.
Date of violation: September 30, 2016.
Case #: 16-321-OF.
\$100 administrative fine paid.

- b. Taverne On The Square, 2 Pleasant Street, Claremont, NH.
Restaurant Full Service With Lounge License #1404603 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:55 – failed to notify Commission of change in corporate officers within thirty (30) days.
Date of violation: October 14, 2016.
Case #: 16-346-OF.
\$100 administrative fine paid.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Allen & Chiota Associates LLC DBA Allen Brothers Cider, 30 Hubbard Road, Dover, NH 03820.
To be Issued Wine Manufacturer Off-Premise Wine Only License #566130 pursuant to RSA 178:8.
Recommendation: Approval only for MANUFACTURING. No retail sales or tasting room.
- b. Comeau, Elizabeth, 2 Homestead Lane, Dover, NH 03820.
To be issued Alcohol Consultant License #507944 pursuant to RSA 178:27-a.
- c. Friends of the Baker Free Library, Baker Free Library, 509 South Street, 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: 10/12/2016.
- d. Jitters Café of Pittsfield LLC, 44 Main Street, Pittsfield, NH 03263.
To be issued Restaurant On-Premise Beverage and Wine License #1534403 pursuant to RSA 178:20.
- e. KIJO Enterprises LLC DBA Corks and Curds, 13 Commercial Alley, Portsmouth, NH 03801.
To be issued Retail Table Wine License #3161446 pursuant to RSA 178:19.
30-Day Temporary License issued: 10/25/2016.
- f. Long Hai Asian Market LLC, 696 Valley Street, Manchester, NH 03103.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3342947 pursuant to RSA 178:18 & RSA 178:19-a.
- g. Nieves Medina, Wendy L. DBA Brisas Del Caribe & Lazer's Lounge, 503-507 Maple Street, Manchester, NH 03103.
To be issued Restaurant On-Premise Cocktail Lounge License #1534603 pursuant to RSA 178:22.
30-Day Temporary License issued: 10/28/2016.
- h. Pug Life Smoke & Vape LLC, 71 North Main Street, Rochester, NH 03867.
To be issued Retail Tobacco, Tobacco Only License #139317 pursuant to RSA 178:19-a.
- i. Tropical Point Restaurant and Bar LLC DBA Tropical Lounge, 14 West Hollis Street, Nashua, NH 03060.
To be issued Restaurant On-Premise Cocktail Lounge License #1533203 pursuant to RSA 178:22.
30-Day Temporary License issued: 10/24/2016.

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 28, 2016: 1,161

- a. Bronco Wine Company, 6342 Bystrum Road, Ceres, CA 95307.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.

- b. Dana Estate, Inc., 1895 Cabernet Lane, St. Helena, CA 94574.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- c. Goldin Investment II, Inc. DBA Sloan Estate, 88 Auberge Road, Rutherford, CA 94574.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- d. Jackson's Wines & Spirits, 3524 Mt. Diablo Blvd., Lafayette, CA 94549-3882.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. NOTIFICATION OF APPROVED PETITIONS:

Appollo 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: 10/23/2016.
Requested approval for authorization of other area, to wit, Town of Amherst Farmers Market, Amherst Garden Center, 5305 Route 101, Amherst, NH between 10:00 am and 1:00 pm every Sunday on a year-round basis pursuant to RSA 178:24 and Liq. 404.05. The Town of Amherst approves of sampling of alcoholic beverages at farmers markets.

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. Citizen Cider LLC, 316 Pine Street, Suite 114, Burlington ,VT 05401.
Beverage Vendor License #79231 licensed pursuant to RSA 178:15.
Date petition received: 10/24/2016.
Requests approval of Citizen Cider Stan UP with an alcohol content of 7.17% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
- b. Country Corner Mile LLC, Route 31, Greenville, NH 03048.
Agency Store Off-Premise Liquor Only License #980404 licensed pursuant to RSA 177:9.
Requested approval for renewal of license, to wit, to renew Agency Store Off-Premise Liquor Only License pursuant to RSA 177:9.
Recommendation: Approval.
- c. Diageo Beer Company USA, 801 Main Avenue, Norwalk, CT 06851.
Beverage Vendor License #30031 licensed pursuant to RSA 178:15.
Date petition received: 10/28/2016.
Requests approval of Smirnoff Ice Spiked Grape and Smirnoff Ice Spiked Green Apple both having an alcohol content of 8% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 178:1, LXIV-a and RSA 179:40-a.
- d. Koochenvagner's Brewing Co. DBA Stone Brewing Co.,
1999 Citracado Parkway, Escondido, CA 92029.
Beverage Vendor License #42631 licensed pursuant to RSA 178:15.
Date petition received: 10/28/2016.
Requests approval of Double Bastard Ale, Bigger Longer Uncut with an alcohol content of 12.94% 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. NH Catholic Charities DBA NH Food Bank,
Wentworth By The Sea, 588 Wentworth Road, New Castle, NH 03854.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 11/4/2016.
Recommendation: Expedited approval.
Commission approved on 10/25/2016.

- b. North Country Community Radio, Littleton Opera House, 2 Union Street, Littleton, NH 03561.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 10/29/2016.
Recommendation: Expedited approval.
Commission approved on 10/26/2016.