

AGENDA FOR THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, FEBRUARY 23, 2017

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

March 17, 2017 at 11:30 a.m.

- a. Truant's Taverne, 96 Main Street, Woodstock, NH.
Restaurant Full Service With Lounge License #1256203 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: October 30, 2015.
Case #: 15-483- OF.

April 28, 2017 at 11:30 a.m.:

- b. New Wa Toy, 611 Mast Road, Goffstown, NH.
Restaurant On-Premises Beverage/Wine/Liquor License #1416903 issued pursuant to RSA 178:21.
Cited for violation of RSA 179:5, II – allowed an under-aged individual to possess or consume alcoholic beverage – 2 counts.
Date of violations: December 3, 2016.
Case #: 16-386-OF.

Date to be determined:

- c. Fire & Ice Hookah Lounge, 990 Elm Street, Manchester, NH.
Cigar Bar On-Premises Beverage/Wine/Liquor/Cigar License #403106 issued pursuant to RSA 178:20-a.
Cited for violation of RSA 179:27, II - served or allowed consumption of alcoholic beverage in areas not approved by the Commission – 3 counts.
Cited for violation of RSA 179:51 – insufficient lighting – 2 counts.
Dates of violations: October 9, 2016 & December 30, 2016.
Case #: 16-343-OF & 17-1-OF.

HEARING CONTINUED BY CHIEF HEARINGS OFFICER JOSEPH PLAIA.

2. NOTIFICATION OF DISCIPLINARY ACTION:

- a. Jiffy Mart, 202 Main Street, Lancaster, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #44047 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 under-aged individual.
Cited for violation of RSA 179:8, I – failed to require the purchaser to furnish a motor vehicle driver's license issued by the state of New Hampshire, or a valid driver's license issued by another state or province of Canada which bears the date of birth, name, address and picture of the licensee.
Date of violations: December 30, 2016.
Case #: 16-410-OF.
For violation of RSA 179:5, I, an administrative fine of \$500, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing February 23, 2017 and re-granted on February 25, 2017; for violation of RSA 179:8, an administrative fine of \$100 suspended for twelve (12) months pending no like violation.

- b. Penuche's Ale House, 91 Marlborough Street, Keene, NH.
Restaurant On-Premises Beverage/Wine/Liquor License #440103 issued pursuant to RSA 178:21.
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an under-aged individual.
Cited for violation of RSA 179:44, I – gave free drinks to customers, patrons, members or guests.
Date of violations: October 16, 2016.
Case #: 16-359-OF.
For violation of RSA 179:5, I, an administrative fine of \$500, four (4) points shall be assessed to the liquor license, the license to sell alcohol shall be suspended for three (3) days and held in abeyance for twelve (12) months pending no like violation, Jennifer Pelletier shall attend a Management Training Seminar (MTS) within thirty (30) days from the date of this fully approved agreement and Caitlin Levasseur shall complete a Total Education in Alcohol Management (TEAM) seminar online within thirty (30) days from the date of this fully approved agreement; for violation of RSA 179:44, an administrative fine of \$250 suspended for twelve (12) months pending no like violation.

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

- a. Brisas Del Caribe & Lazer's Lounge, 503 – 507 Maple Street, Manchester, NH.
Restaurant Full Service With Lounge License #1534603 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:50, II – unlawful purpose; allowed smoking on the premises.
Date of violation: February 3, 2017.
Case #: 17-46-OF.
\$250 administrative fine paid.
- b. Element Lounge, 1055 Elm Street, Manchester, NH.
Restaurant Full Service With Lounge License #1317103 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:20, II – allowed an employee to consume alcoholic beverage while working.
Date of violation: February 4, 2017.
Case #: 17-48-OF.
\$100 administrative fine paid.
- c. Polish American Citizens Club, 138 Main Street, Claremont, NH.
Social Club License #14301 issued pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22, V(h)(1) – failed to file a signed financial statement by the 15th of the following month.
Date of violation: February 6, 2017.
Case #: 17-55-OF.
\$100 administrative fine paid.
- d. Stone Brewing Company, 1999 Citracado Parkway, Escondido, CA.
Beverage Vendor License #42631 issued pursuant to RSA 178:15.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: February 3, 2017.
Case #: 17-40-OF.
\$100 administrative fine paid.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL

- a. 7TH Catering LLC, 47 Washington Street, Suite LL05, Dover, NH 03820.
To be issued Caterer-Off-Site License #1287934 pursuant to RSA 178:22, V(e).

- b. 72 Main Street LLC DBA La Cabana #2, 72 Main Street, Newmarket, NH 03857.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1537003 pursuant to RSA 178:21.
30-Day Temporary License issued: 2/16/2017.
- c. Boutin, Keiron, 200 Sherburne Road, Portsmouth, NH 03801.
To be issued Alcohol Consultant License #509244 pursuant to RSA 178:27-a.
- d. Cornish Springs LLC, 226 NH Route 120, Cornish, NH 03745.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3350647 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 2/14/2017.
- e. Hancock Provisions LLC, 30 Main Street, Hancock, NH 03449.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3350047 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 2/17/2017.
- f. Hanlon, Jane, 22 Aglipay Drive, Amherst, NH 03031.
To be issued Alcohol Consultant License #508944 pursuant to RSA 178:27-a.
- g. Keene Young Men's Christian Association, 200 Summit Road, Keene, NH 03431.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 3/4/2017.
- h. Liars Bench Beer Co. LLC, 459 Islington Street, Portsmouth, NH 03801.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 3/4/2017.
- i. Local Basket LLC, 10 Ferry Street, Suite 120A, Concord, NH 03301.
To be issued Combination Off-Premise Beverage and Wine License #3351647 pursuant to RSA 178:18.
- j. Mahant LLC DBA Smoke N Barley, 485 Laconia Road, Tilton, NH 03276.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3352447 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 2/14/2017.
- k. MISA Imports, Inc., 1502 Viceroy Drive, Dallas, TX 75235.
To be issued Beverage Vendor License #79731 pursuant to RSA 178:15.
Manufacturer: Cia De Vinos Del Atlantico.
- l. MPG Corporation DBA Rapid Refill #134, 1 Peach Tree Lane, Merrimack, NH 03054.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3352247 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 2/16/2017.
- m. MPG Corporation DBA Rapid Refill #137, 163 Main Dunstable Road, Nashua, NH 03060.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3352347 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 2/14/2017.
- n. MPG Corporation DBA Rapid Refill #139, 650 Second Street, Manchester, NH 03102.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3352047 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 2/17/2017.

- o. MPG Corporation DBA Rapid Refill #140, 715 Daniel Webster Highway, Merrimack, NH 03054.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3352147 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued: 2/15/2017.
- p. New Greeley Singers, Inc., Sherburne Hall, 6 Village Green, Pelham, NH 03076.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 3/4/2017.
- q. New Hampshire Catholic Charities DBA NH Food Bank,
Radisson Hotel, 700 Elm Street, Manchester, NH 03101.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event date: 3/6/2017.
- r. Nolan's Brick Oven Bistro LLC, Wolfboro Town Docks, Main Street, Wolfboro, NH 03894.
To be issued a Beer Festival License pursuant to RSA 178:30.
Event date: 3/4/2017.
- s. R & S Imports, Inc., 506 Sandau Road, Suite 800, San Antonio, TX 78216.
To be issued Liquor and Wine Vendor License #120145 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 FEBRUARY 17, 2017: 1,171

- a. Treasury Wine Estates America's Company DBA Beaulieu Vineyard Cellars,
1960 St. Helena Highway, Rutherford, CA 94573.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- b. Treasury Wine Estates America's Company DBA Cellar 360,
21468 Eight Street East, Sonoma, CA 94558.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- c. Treasury Wine Estates America's Company DBA Provenance Vineyards,
1965 St. Helena Highway, Rutherford, CA 94573.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
- d. Treasury Wine Estates America's Company DBA Sterling Vineyards,
1111 Dunaweal Lane, Calistoga, CA 94515.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.

7. DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:

None

8. NOTIFICATION OF APPROVED PETITIONS:

- a. Bernerhof Inn Corporation DBA Bernerhof Inn, 342 US Route 302, Glen, NH 03838.
Hotel On-Premise Beverage/Wine/Liquor License #372002 licensed pursuant to RSA 178:21.
Date petition received: 2/13/2017.
Date petition approved: 2/13/2017.

Requested a waiver of RSA 178:21, II, a (2) for authorization of reduction of hours, to wit, to reduce the hours of operation to less than five days a week from February 13, 2017 to July 1, 2017 as indicated in a letter dated February 8, 2017.

- b. Third Colony Brewery & Winery LLC, 726 East Industrial Drive, Unit 2, Manchester, NH 03109. Nano Brewery, Beer and/or Specialty Beer License #202922 licensed pursuant to RSA 178:12-a. Date petition received: 2/16/2017. Date petition approved: 2/16/2017. Requested approval for authorization of other areas, to wit, a tasting room area with a capacity of 12 pursuant to RSA 178:24 and Liq. 404.05.

9. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

Imperial Buffet, 154 Washington Street, Claremont, NH.
Restaurant Full Service With Lounge License #1301603 issued pursuant to RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Approval of a Felon Exception for Maria Horsky as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).
Case #: 16-366-OF.
Approved on: February 15, 2017

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. NOTIFICATION OF HEARING RESULTS:

None

14. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

- a. Mark Anthony Brands, Inc. DBA Mike's Hard Lemonade Co., 328 Jefferson Street, Chicago, IL 60661. Beverage Vendor License #29131 licensed pursuant to RSA 178:15. Date petition received: 2/14/2017. Requests approval of Mike's Harder Watermelon with an alcohol content of 8% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 175:1, VIII; no sample provided. Recommendation: Approval.
- b. USAF COL Derek Ferland, 177 Red Water Brook Road, Claremont, NH 03743. Military serviceman wishes to import his collection of alcohol into New Hampshire from overseas where he is currently stationed and have the 25% fee waived pursuant to RSA 175.6. Recommendation: Approval.
- c. Weyerbacher Brewing Co., Inc., 905 Line Street, Suite G, Easton, PA 18042. Beverage Vendor License #79631 licensed pursuant to RSA 178:15. Date petition received: 2/14/2017. Requests approval of Sunday Morning Stout with an alcohol content of 12.21% at 60 degrees Fahrenheit by volume, licensed pursuant to RSA 175:1, LXIV-a; no sample provided. Recommendation: Approval.

15. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

Monadnock Music, Marlborough House, 9 Ling Street, Marlborough, NH 03455.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 2/25/2017.
Recommendation: Expedited approval.
Commission approved on 2/16/2017.