

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, APRIL 6, 2017

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

April 14, 2017 at 12:00 p.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.
ASSENTED-TO MOTION TO CONTINUE FILED BY THE DIVISION OF ENFORCEMENT ON MARCH 8, 2017; MOTION GRANTED ON MARCH 9, 2017.

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.
SETTLEMENT CONFERENCE HELD 2/21/17.
SETTLEMENT PENDING.

2. NOTIFICATION OF DISCIPLINARY ACTION:

Jay's Amherst Market, 24 Amherst Street, Nashua, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3331947 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: February 4, 2017.
Case #: 17-37-OF.
For violation of RSA 179:5, I, a \$500 administrative fine, 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 April 8, 2017 and re-granted on April 10, 2017 and

Mohammed Umair 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 179:8, a \$100 administrative fine.

COMMISSION ACKNOWLEDGED.

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

- a. Kathleen's Cottage, 90 Lake Street, Bristol, NH.
Restaurant On-Premises Beverage/Wine/Liquor License #1374403 issued pursuant to RSA 178:21.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: February 1, 2017.
Case #: 17-41-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. Taqueria Begy's, 310 Maple Street, Manchester, NH.
Restaurant Beverage & Wine License #1408403 issued pursuant to RSA 178:20.
Cited for violation of RSA 179:32, III – purchased beverages from other than a licensed wholesale distributor, manufacturer, brew pub or as provided by law.
Date of violation: March 10, 2017.
Case #: 17-86-OF.
\$250 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL

- a. Elliott, Esther, 31 Old Auburn Road, Derry, NH 03038.
To be issued Alcohol Consultant License #509644 pursuant to RSA 178:27-a.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. Everyday's A Sundae LLC, 178 Route 125, Brentwood, NH 03833.
To be issued Restaurant On-Premise Beverage and Wine License #1538503 pursuant to RSA 178:20.
30-Day Temporary License issued 3/29/2017.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Inns of Distinction LLC, 40 Thorn Hill Road, Jackson, NH 03846.
To be issued Hotel On-Premise Beverage, Wine and Liquor License #371902 pursuant to RSA 178:21, II(b)(1).
30-Day Temporary License issued 3/27/2017.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Intown Concord, 49 South Main Street, Concord, NH 03301.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(l).
Event dates: 6/22/2017, 6/23/2017 and 6/24/2017.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Kelsen Brewing Company LLC, 80 North High Street, Units 2 & 3, Derry, NH 03038.
To be issued Restaurant On-Premise Beverage and Wine License #1539403 pursuant to RSA 178:20.
30-Day Temporary License issued 3/28/2017.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- f. Lucky's LLC, 333 Valley Street, Unit 1, Manchester, NH 03103.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1538903 pursuant to RSA 178:21.
30-Day Temporary License issued 3/28/2017.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- g. Maclellan, Shawna, 51 Linden Fields, Exeter, NH 03833.
To be issued Alcohol Consultant License #509744 pursuant to RSA 178:27-a.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- h. Shawngela LLC DBA Moe's Italian Sandwiches of Rochester,
43 North Main Street, Rochester, NH 03867.
To be issued Restaurant On-Premise Beverage and Wine License #1540703 pursuant to RSA 178:20.
30-Day Temporary License issued 3/29/2017.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- i. TNT LLC DBA Crazy Camel, 245 Maple Street, Unit 1, Manchester, NH 03103.
To be issued Cigar Bar On-Premise Cocktail Lounge License #403806 pursuant to RSA 178:20-a.
30-Day Temporary License issued 3/30/2017.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- j. Tuohy's Pub & Brewery LLC DBA Salt Hill Pub, 5 Airport Road, West Lebanon, NH 03784.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1541903 pursuant to RSA 178:21.
30-Day Temporary License issued 3/29/2017.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA 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 MARCH 31, 2017: 1,170

- a. The Fableist Wine Co., 3005-A Limestone Way, Paso Robles, CA 93446.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- b. Washington Vintners LLC DBA Corliss Estates/Tranche Cellars,
511 N 2nd Avenue, Walla Walla, WA 99362.
Direct Shipper Permit Wine Manufacturer 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. B NRFARMMANCH LLC DBA The Farm Bar & Grille, 1181 Elm Street, Manchester, NH 03101.
Restaurant On-Premise Cocktail Lounge License #1541203 licensed pursuant to RSA 178:22.
Date petition received: 3/24/2017.
Date petition approved: 3/28/2017.

Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 67 pursuant to RSA 178:24 and Liq. 404.05.

COMMISSION ACKNOWLEDGED.

- b. Capitol Center for the Arts, 44 South Main Street, Concord, NH 03301.
Performing Arts Facility On-Premise Cocktail Lounge License #398008 licensed pursuant to RSA 178:22, V.

Requested approval for an exception to RSA 179:20, II, to wit, to allow entertainer Alton Brown and a few audience members to consume alcohol on stage as part of his performance on November 1, 2017 as defined pursuant to RSA 275:4, II.

COMMISSION ACKNOWLEDGED.

- c. WVSR LLC DBA T-Bars Restaurant at Waterville, 220 Ski Area Road, Waterville Valley, NH 03215.
Sports Recreation Facility License #6013605 licensed pursuant to RSA 178:22, V(v).

Date petition received: 3/24/2017.

Date petition approved: 3/27/2017.

Requested approval for authorization of other area, to wit, an outside area with a capacity of 1,100 for event date April 1, 2017 pursuant to RSA 178:24 and Liq. 404.05.

COMMISSION ACKNOWLEDGED.

9. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

7-Eleven Store #2443, 361 Amherst Street, Nashua, NH.

Combination Off-Premises Beverage/Wine/Tobacco License #3304147 issued pursuant to RSA 178:18/RSA 126-K:4.

Approved a Felon Exception for Tracy Emerson as a Person In Charge pursuant to RSA 178:4, RSA 179:23 and Liq. 404.06(c).

Case #: 17-50-OF.

Approved on March 31, 2017.

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 DECISION PENDING AFTER HEARING:

None

14. NOTIFICATION OF HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

None

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Boys & Girls Club of Greater Salem, Inc., 3 Geremonty Drive, Salem, NH 03079.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor

License pursuant to RSA 178:22, V(I).
Event date: 4/8/2017.
Recommendation: Expedited approval.
Commission approved on 3/31/2017.

COMMISSION ACKNOWLEDGED.

- b. Boys & Girls Club of Greater Salem, Inc., 3 Geremonty Drive, Salem, NH 03079.
To be issued an off-sale, special Voluntary Nonprofit Organizations Beverage/Wine/Liquor
License pursuant to RSA 178:17, II.
Event date: 4/8/2017.
Recommendation: Expedited approval.
Commission approved on 3/31/2017.
COMMISSION ACKNOWLEDGED.